The Federalist Debate

Papers on Federalism in Europe and the World

*The problem of establishing a perfect civil Constitution
depends on the problem of law-governed external relations among nations
and cannot be solved unless the latter is*
Immanuel Kant

The Federalist Debate

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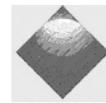
The Federalist Debate

Papers for Federalists
in Europe and the World

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A European Initiative for the International Financial Crisis

Alfonso Iozzo

Globalization has brought about a radical change in the balance of power in the world and in particular it has broken down the "bronze law" that gave 20 percent of world population the use of 80 percent of world resources. Such changes are comparable to the events of the industrial revolution that, after many battles and convulsive phases, resulted in the downfall of the "bronze law" that linked salaries to the minimum survival level.

Similarly the redistribution of international power due to globalization will trigger convulsive phases and confrontations which, if a transitional solution cannot be found, will also lead to conflict and even violence, thereby bringing the process to a stop and sucking the world back to the dark times of autarky and exaggerated nationalism, such as occurred in the years following 1914.

Europe has the ability but also the duty to launch a process aimed at bringing globalization under control, by creating international federal institutions able to negotiate and agree the rules necessary to guarantee a smooth transition to a new world order, and also to ensure that those agreements are respected. The EU must propose an international plan to establish such common rules and practices throughout international institutions dealing with monetary, environmental, energy and agricultural issues; and also to provide the necessary tools for economic and social solidarity to go alongside the creation of an international market. This will bring WTO policies more closely in line with those of the European Community which – together with the creation of the common market – has instituted regional and social funds, and a cohesion policy.

In two of the above mentioned fields Europe has attained its set objectives: food self-sufficiency through the common agricultural policy and monetary unification via the single currency, which guarantees a single market. However, in the energy and environmental sectors the EU has achieved no more than limited and partial results. Only now is it beginning to construct the institutions necessary to fulfil its repeatedly proposed objectives. If the Delors Plan had been activated as originally planned, and in particular the introduction of a Carbon Tax – a proposal which was approved by all member states except Great Britain that blocked it by using its power of veto – the EU today would be far better prepared to contribute to the launch of a truly international environmental policy.

The EU should demand the foundation of an international "Community" for environment and energy able to concentrate research for new energy sources at an international level and endowed with some of the competences allotted to the European Coal and Steel Community (ECSC), which could be considered as a prototype supranational agency in the environmental and energy sectors. For example, the ECSC could impose taxes on the use of coal and raise loans to finance the re-conversion of the steel industry, the main consumer of this energy source.

The food crisis urgently requires the establishment of a world agricultural policy in order to develop and stabilize production. A renewal of the initiatives activated by the first associative agreements with the African states

(using the stabilization funds provided at the time) is an example of how to create a true international market for agricultural products that exploits the productive capabilities of the various continents, making the same products available on a worldwide scale, and thus covering the gaps left by the WTO, and giving the FAO a genuine role.

It is in the monetary sector that the redistribution of international power can give rise to the most acute convulsions. The most effective tool available to any individual state's government is the currency manoeuvre. This enables it to bend globalisation to its own advantage, thus permitting it to avoid paying the price of the redistribution of economic power in progress internationally.

Firstly, while it would be difficult to promote explicit protectionist policies, governments can resort to competitive devaluations which can trigger a real "monetary war". Such a "beggar my neighbour" approach could ultimately lead to the breaking up of the market and a retreat to openly autarkic policies.

However, such a strategy is possible only for economies of notable dimensions, such as that of the United States. It would not be feasible in the EU whose reason for existence is founded on international openness and its promotion at world level.

Secondly, a country whose currency has a wide international circulation, and whose relevant net debt is expressed in that currency, can manoeuvre to export the cost of the inflation created; for just as a state can impose an arcane tax on the owners of its public debt, so a country whose currency is utilised as an international currency can impose such a tax on other countries, thereby effectively reducing the value of their financial assets.

This policy finds its limit in the amount of financial activity with "real" negative earnings that the debtor is prepared to accept. The European

states had to stop imposing an "inflation" tax when the opening up of the markets permitted investors to invest in the stable currencies of other countries.

With the creation and success of the European monetary policy, the American dollar-monopoly hit a crisis, for the trend of the states investing in that currency then moving towards diversification in more stable currencies such as the euro became unstoppable.

The beginning of a currency war by the American Federal Reserve is a one-way street with no exit. A monetary war can only temporarily stem the crisis, and in so doing would only make the problem worse. But Europe, having now established full "federal" unity on a monetary basis, now has the responsibility and duty – and indeed is prompted by its own self-interest – to propose a solution to the United States which would enable the management of the transition towards a new distribution of power throughout the world.

Important sectors of European public opinion, of which the main voice is that of France and its President, are requesting the adoption of an analogous reduction of interest rates in reply to the FED policy. But this is wrong. It would not solve the problem and could only cause the importation into Europe of inflation created in America.

It is sufficient to consider that, given that the objective of the exercise is to maintain the cost of the dollar at a low rate in order to export inflation, if the ECB were to follow the FED in reducing interest rates then the FED would lower its rates once again. America would thus no longer need to fear that dollar investors would move into euros for by re-establishing the supremacy of their own currency internationally the USA would be able to continue to finance their deficit "without tears".

If, therefore, the ECB is correct in not

participating in this monetary war (in which it would be the inevitable loser) then Europe must at least address the problem of exchange rates. It is in the general interest that Europe and the Asian countries continue to develop commercial exchanges, but this "common market" cannot be undermined by monetary policies. Europe may accept overtures from Asia but, in exchange, the Asian countries must stabilise their own currencies in relation to the euro.

Countries that are net holders of international financial assets (such as some in Asia, or the Arabian oil producing countries) would then have an interest in having a stable currency as a reference point in order to guarantee the value of their investments.

The conditions already exist to proceed towards a profound reorganization of the international monetary system to guarantee the balanced development of globalisation. The list of countries interested in creating a new international system is long, but only Europe – with the euro – is in a position to take the initiative. However, Europe's objective is not to propose substituting the euro for the dollar, but to put the stability of the euro at the disposal of the international community and to construct democratic monetary institutions. The time has come to reverse the choice of a hegemonic currency made at Bretton Woods and to rediscover the Keynesian "bancor" plan. This was the way followed in Europe during the process of monetary unification. German political leaders such as Schmidt and Kohl, did not choose the hegemony of the D-Mark, but rather decided to put the stability of the D-Mark at the service of all Europeans.

As regards exchange rates, the European treaties from Maastricht to Lisbon indicate that the European position propounded in the competent institutions and international conferences is decided by the European Council, based on proposals made by the European Commission in accordance with the ECB. In this regard only those states that have adopted the euro can vote. Council members therefore – that is, the participating EU member states' governments – do not need to ask the ECB to give up their solid currency but, on the contrary, to take the initiative – in accordance with the Treaty provisions – to provide the world with a solid currency.

European citizens must ask the EU's political leaders and in particular the President of the European Commission to assume the political initiative. To this end the Union should promote a monetary conference aimed at creating the basis for a new and profoundly renovated international monetary system.

The conference this time should not be held at Bretton Woods, but in Europe, thus taking a first step towards putting into action the statutory provision of the International Monetary Fund which states that the venue should be where there is the highest quota of participation!

If the Union were able both to promote and itself take the first steps on the road to a solid international currency, this would be the clearest demonstration that, if Europeans unite, they can make an enormous contribution to the creation of a more peaceful world. Once this is attained, it would not then be difficult to propose a unification of forces also in the areas of foreign and security policy.

Proposals such as Security Council reform and the bestowal of a seat on the EU, the creation of a Parliamentary Assembly to democratize the UN, with projects to initiate nuclear disarmament to be set up and run under UN control, and the creation of world civil and military "peace-keeping" and "state-building" forces, would then be far more credible.

Europeans have not united their strength in order to create a new army to fight other terrible and bloody wars but, as in the case of the single currency, to create common international institutions capable of attaining the state of "perpetual peace" once foreseen by Kant.

A Word or Two

Mubashar Jawed Akbar

Indian literature, like Indian society, is based on a common-sense principle: what I say is important, but it is less important than what you hear. You must nurture text within the womb of context.

Words are empty if they are not the stones of a bridge that closes a gap. This bridge connects with the other, and becomes part of a multicultural architecture that makes diversity stronger than homogeneity.

Modern India is the European Union of the East. It became Europe long before Europe became Europe. The Forties were a violent, horrifying and seminal period for both India and Europe. They reached that war-drenched decade from opposite ends of the political spectrum, through different trajectories: conflicts, rooted in the past, altered the future.

Europe's four-century-long appetite for colonization had given it an unprecedented domination over the world, and untold riches. Colonialism rode to battle on a horse called Civilization, preaching that it had come to wrest natives from despair and deliver them into modernity. But the culture of oppression that sustained colonization in conquered territories bred, among the conquerors, the politics of competition, conflict, greed and, often, the urge to despotism. The past finally exhausted itself in the stench and brutality of the Second World War.

In 1947, India became the first colony to defeat a European master, but paid a heavy domestic price. India did not join the world war, but succumbed to a virtual civil war between Hindus and Sikhs on one side, and Muslims on the other. Without the help of organized armies or dictators, two million Indians killed one another in the partition riots as two countries emerged from one land. Estimates vary, but over six million devastated people became refugees in an exchange of populations.

It was a legacy that could have institutionalized hatreds. Instead, the Indian Constitution offered a federation constructed on the cardinal principles that have established the European Union: a free, democratic polity; equality for every citizen, whether Hindu or Muslim; freedom of internal travel (a facility that the Chinese citizen does not possess); the right to economic migration; a single currency whose value was unaffected by disparities in regional development; and a robust federalism that permitted provinces to keep their regional languages as their means of administration and social intercourse, while two national languages, Hindi and English, maintained communication across the nation. Europe achieved in the Sixties what India fashioned in 1950.

The spirit of new India rose above the history of Hindu-Muslim conflict to give life to a vision. But the tensions generated by that conflict have been a central fact of our modern history, and inevitably nurtured a literature that attempted to understand the nuances of a human story beyond the dimensions of historical facts. My own books, whether analysis [*India: The Siege Within, Kashmir: Behind the Vale, The Shade of Swords*], biography [*Nehru: The Making of India*], reportage [*Riot After Riot, Byline*], or fiction [*Blood Brothers*] have sought to examine an emotional landscape that has often been bleak, but nevertheless found the strength for optimism through humanism.

My view of the tensions and undercurrents prevalent through the Muslim world has not always been understood as I might have wished. When Samuel Huntington quoted a sentence from an essay I had written, in his famous monograph, *The Clash of Civilizations*, he gave

it a completely different interpretation: I was discussing colonization, and not civilization, when I said that the region between Morocco and Indonesia was becoming an arc of battle. In too large a section of this region, colonization has been replaced by neo-colonization, spawning powerful local elites that have denied democracy and liberalism to their own people.

Every former colony has become independent, but how many are free? Millions in Africa and Asia, of all races and religious persuasions, have become victims of domestic oligarchies and autocracies protected by the muscle of instruments of state. The people are denied the elementary rights of a fearless voice and a genuine vote.

As a Muslim and as an Indian I am proud of the fact that Indian Muslims are the only Muslims in the world who have enjoyed six decades of continuous democratic freedoms. Some Muslim-majority nations have enjoyed democracy in spells; others have been denied it completely under one excuse or the other.

Freedom is the essence of literature. Freedom includes the right to be wrong in debate, but it does not extend to superiority or abuse. The harmony of Indians depends on respect for each other's space and sentiment. When this is breached, there is a spurt of havoc that serves as a reminder that the ideal is not yet within reach.

Secularism in India is not the absence of faith, but space for all faiths.

When Mahatma Gandhi began to mould an idea of India into a freedom movement, he said that politics without religion was immoral. Gandhi, an alchemist who destroyed the age of colonization with a toothless smile, was not a fundamentalist. For him, religion was the basis of morality. Religion shapes an Indian's identity perhaps more than any other factor. Indians do not treat religion as "anti-modern". It would be inconceivable for an Indian Prime Minister who was a Sikh, as is the case today, to appear in public without the turban demanded by his faith; to suggest that a symbol of faith should not be permitted in a state institution would be laughed off.

Islam and Hinduism have co-existed in India

for almost as long as Islam and Christianity have co-existed in the Middle East, Africa and significant sections of south and east Europe. There is no major Hindu writer in the Indian tradition who believes that the literary merit of his work would improve dramatically by taunting the Prophet of Muslims, or an important Muslim writer who discovered aesthetic virtue in insulting Hanuman, the monkey god.

Literature is for the reader, and you cannot reach the reader by hurling abuse at what he holds sacred. Even Marxism, which made religion politically incorrect between Europe and the shores of the Pacific, had to compromise in India. The Communists, who have held power for over three decades in Bengal, started to win elections only after they bowed to the Goddess Durga, or her other *avatar*, the Goddess Kali, during the annual celebrations through which she is worshipped.

Language is used as a seed in quality Indian literature, not as a landmine. Indians would quickly see through some of the phrases that have come to control the discourse about Islam in America and Europe. Let us examine just one instance, widely in currency after President George Bush introduced it into the political dictionary sometime before the fifth anniversary of 9/11: 'Islamic fascism' or 'Islamofascism'. Islam is 1400 years old. How old is fascism? It appeared on the political map of Europe only with Mussolini in 1920. So whatever else fascism might be, it cannot be Islamic. On the other hand, there are many Muslim rulers who are fascists or at least despots. But why blame Islam for the sins of Muslims? Do we blame Christianity for Hitler, or the Vatican for Mussolini?

Literature cannot be subservient to laws. I am reminded of that famous aphorism: No court can save a society that needs a court to be saved. Literature cannot be saved by laws; it is better served by sensibility. India believes in an inclusive sensibility.

India, I suggested, was the Europe of the East. When will Europe become the India of the West?

Thinking of Internationalization

Tommaso Padoa-Schioppa

Internationalization is a process that my generation saw progressing at an accelerating pace, and whose rewards it harvested and is still harvesting, but which today is causing concern to most people, as every day also its distressing aspects are displayed before our eyes. Anyone who as a child has seen the ruins of war finds in internationalization a reason for hope and security; but what shall think of those who, being young, have no memories of war?

A few words, first, on the term "nation". Today "homeland", "nation" and "State" are matching terms. But we shall not forget that such matching – in language and then in institutions – is a recent achievement; it comes from the Napoleonic era and the culture of Romanticism. An ancestor of ours of six or seven generations ago, should he awake from the sleep of death, would call internationalization the increase of trade between Lombardy and Piedmont. The form of the nation-State, founded on the idea that absolute independence is the guarantee of liberty and peace, originated in Europe in the 19th century and spread to the whole planet during the last century, although that idea soon showed to be deceptive and a source of tragedies. Today we count in the world about two hundred nation-States, almost all of them doggedly sticking to the illusion of unlimited sovereignty. Three principles you should have in store concerning the issue of internationalization: identity, competition and politics.

Identity is multiple
First principle: *the identity of each individual is multiple*. There is no incompatibility between being Milanese, Lombard, Italian, European and, finally, citizen of the world.

On the contrary, multiple belongings constitute the very individuality of each of us. This statement has a very concrete meaning. The identity of each individual is that mix of qualities, inclinations, interests, beliefs, blemishes, frailties, temperament traits, life experiences, hopes that makes him an *individual*, that is, a unique and unrepeatable entity. And that mix is one thing with being part of many communities. No one of its components fully defines the experience and the awareness of ourselves that are our hallmark; in no one could we identify ourselves to an exclusive degree without losing, let it not seem a play of words, our identity.

Well, acknowledging that principle shall bring out the awareness that our belonging in the community that we call today *national* is not in contradiction with, nor lessens our belonging in other communities, be they the narrower ones centered around our hometown or region, or the wider ones on a continental or planetary scale.

Among the latter, the *European* community is today the most present in our everyday life: suffice it to mention the many Brussels laws which prevail over national laws, the euro, the Erasmus project and the migrations within the Union. But we strongly feel that we also belong in the *global* community, to which we are tied by both the universal thrust of our moral convictions and, more and more, the threats to climate and the biosphere that can only be

countered on a world scale.

In the wealth of our multiple belongings, feeling oneself Italian can, even must, find an appropriate place. I am convinced that, among the most serious faults Italy has suffered from in its short history as a community organized in a unitary State, there is the difficulty to find the right measure of national ambition, i.e. how to place itself in the balance point between indifference, even negation, of any sense of national belonging, and, on the other hand, a heated nationalism, which led to defeat and humiliation. Giving the correct importance to one's ties with the national community is, for a young Italian, less natural than for a youngster of the same age in another country.

Accepting competition

Second principle: *we must accept international competition*. Should I suggest an interpretation of the idea implied in the word "internationalization", I would formulate it thus: a peaceful intensification of the relations between countries. Neither armed clash, nor mutual isolationism; instead, exchange and competition.

Today, the intensification of relations between countries is, to a non-small degree, the consequence of economic and technical progress: goods, people, crime, know-how, images move on a planetary scale, rapidly and at low-cost. Scholars have recollected other situations in human history which – with respect to their time – can be qualified as "globalization", and have highlighted the differences with the present one. Those epochs have been followed by others when the world fragmented again into isolated communities.

We do not know whether the current globalization process too can be reversed. It may well be that today's technology has simultaneously *given* mankind the tools for destroying the planet and *taken* away those for going back to a fragmentation into isolated

communities, as happened after the fall of the Roman Empire or after the First World War. We are led to think so by the quasi-impossibility to stop the migration waves, and also by how easily a young expert in Internet-surfing could sidestep the filters that Google had accepted to put up for its Chinese users.

That is the reason why we can and must ask ourselves at what conditions the internationalization in progress can continue without giving rise to conflicts and destructions. Internationalization cannot be stopped or rejected; we must make it, as we use to say, sustainable.

It is often stated that international relations differ from those practiced within the borders of a State, due to the fact that the former can be settled through the force of arms. With reason, the use of arms is associated with hatred, because the latter is both a cause and a consequence of the former. A very popular slogan among the students of my generation was urging to "make love, not war". Can we let us be guided by that slogan and say that the condition for making internationalization sustainable is the advent of universal, or global, love? Judging from the atmosphere in most condominium assemblies I would say no. In my opinion, the twofold condition is a different one: that competition be accepted, and that it be subject to the ruling of a higher political order.

The impulse to excel, to do better than others, to win, is called by psychiatrists aggressiveness, by economists animal spirit. We have to believe not only that eradicating it from human nature (i.e. not from a single man, like Prince Myshkin or Billy Budd, but from all living people) is impossible; it is even reasonable to believe that its disappearance is not much desirable, and that the moral thing to do is to control it and direct it towards doing good, not to suppress it.

Relations among human communities move

between the two extreme models of conflict and union. At one extreme, war; at the other extreme, competition. On the one side, conflict, open war, the lack of any law but force: the force of arms, of deceit, of money, of intimidation. On the other, institutions, goals, shared instruments. Competition, in its various forms, is placed at some point in the intermediate area: it is a contest where armed conflict is replaced by a commercial struggle as a means for establishing the primacy of one competitor over the other.

Trade is not always "soft", as Montesquieu defined it in contrasting it with wars triggered by passions. It, and with it the competition through which it is generally practiced, can often be carried out in harsh, violent, ruthless ways: by stealing inventions from one's opponent, by pushing him out of the market through dumping practices, by corrupting governments in order to get orders, by exerting political pressures to support national enterprises. The commonly used metaphors highlight how competition could be placed quite close to the first of the two extremes of war and union: war of prices, invasion of a market, trading assault, cut-throat competition, and so on.

Such strong words must not surprise, most of all if we consider that they apply of course to competition between enterprises, but even more so to competition between countries. On being successful in the competition between countries development and wealth depend: also for Italy, the periods of a sizable improvement of its standard of living have always coincided with a good performance of its foreign accounts.

The economic order implies a political order
Third principle: *the economic order implies a political order*. Peace is not to be established by suppressing, in individuals and in human communities, the impulse to excel, to do better than others, to win. Instead, it is to be established by bringing about a situation,

an order, where those impulses continue to express themselves, but subject themselves to rules; rules that are rooted in ethical principles (do not kill, do not steal, do not bear false witness), and whose recognition, however, has a practical usefulness too.

That situation is competition. However, in order for it not to degenerate into war, it needs strong rules; and those can only be given by politics, by a strong political power. In fact, to issue rules is a task peculiar to the political sphere, not to the sphere of the market.

The *European* area is where, for the first time in history, international competition has taken on a truly peaceful form. War among nations has been replaced with a contest, through renounces of portions of national sovereignty, and the establishment of a supra-national power that institutes and ensures the free movement of goods, services, capitals and people. Competition with agreed-to rules has become a single market, a common physical, economic, juridical, conceptual space.

In the *global* arena, the issue of rules, hence of politics, is still far from a satisfactory solution. Globalization is the great change that upsets our lives, although we cannot fully understand its nature and implications. Extreme and opposed interpretations have been put forward. That of its opponents, who make it the ultimate cause of all of today's evils, the terrain where the capitalists' greed is getting loose. Or that of its supporters, who consider it the wonderful mechanism which, setting free the forces of the market, universally spreads wealth, liberty, democracy and tolerance.

In my opinion, the two interpretations have in common the same error: they see the economy as the only bedrock of the social order. I believe, instead, that globalization is posing a challenge of an essentially political nature, namely, one concerning the difficulty of ruling it in peaceful ways

with rules that shall move it away from the model of war and shift it closer and closer to the model of contest. The search – intellectual and practical – of instruments for ruling globalization is the fundamental challenge affecting the destiny of each of us. Without adequate institutions and means, which international cooperation alone can provide, globalization will not be ruled. And if it will not be ruled, we shall suffer from it and finally we will revolt against it. And it is very unlikely that the revolt will not assume repressive and violent forms.

Reading the names of the young students of this Technical University fallen in the First World War, one cannot but think that their infancy and adolescence were spent in a world of peace and globalization, not dissimilar from today's. The illusion that that world was going to last was of short duration. Soon they realized that they had been able to enjoy it, but not to prepare the instruments and institutions necessary to rule it. The passage from contest to war was very fast.

Difficult as it may be, the challenge of internationalization can be won if we will be able to face it on the *political* plane, with determination and clear-sightedness.

The Human Cost of the Iraqi War

After five years of the US-led war in Iraq, one can try to outline a "human balance sheet" based above all on numbers. In March 2008, the US dead during the war amounted to 4,000. Estimates of the wounded fluctuate between 30,000 and 100,000. Veterans' associations, which had to invoke the Freedom of Information Act to obtain the data, estimate the number of the wounded equal to 15 times the number of the victims. The final cost, as of 2008, for medical assistance and for reimbursement of disabilities to the veterans is already close to US\$ 600 billion, according to Nobel Prize winner Joseph Stiglitz (who has estimated the total cost of the Iraqi war at US\$ 3 thousand billion). According to a survey by CBS, 6,526 former soldiers committed suicide during 2005, an average of 17 suicides daily, more than double that of the average American population. As far as the Iraqi dead are concerned, military and above all civilians, an official calculation of the data has, inevitably, never been made. Some estimates, for the first 40 months of war, vary between a minimum of 450,000 and a maximum of 600,000 casualties, of which 150,000 were violent deaths. The war has produced almost five million evacuees, out of a total population of 28 million: 2.5 million internal (owing to ethnic cleansing or, more precisely, a mix of political and religious factors) and at least two million expatriated in Syria and Jordan. Living conditions in Iraq, after five years of the "export of democracy" (as President Bush said) continue to remain tragic: few hours with electric power in the very same capital, enormous rate of unemployment, shortage of petrol (in a country which has some of the major world reserves of oil), total lack of safety even in the heavily guarded "Green Zone" (where the Government, the Parliament, the Embassies and the rest are located) of Baghdad. Under Saddam, Iraq was a dictatorship, now it is simply a "Failed State".

It is to be hoped that the American people – also on behalf of the other peoples of the world – call as soon as possible for its current leadership to pay politically (given the impossibility of doing it judicially) the bill for this catastrophe (*g.b.*).

"Problems of Democratization" Reprised

George Modelski

The last issue of this journal carried my article on "Problems of Democratization". My contribution, and the graphic accompanying it, carried two messages: For one, in long perspective, the world-wide spread of democracy to one-half of the world's people, is immensely impressive. Two, while the long-term outlook is positive and indicates a world close to fully democratic toward the end of this century, in the shorter term of one-two decades what is called for is consolidation, and caution.

Professor Valaskakis found this analysis "interesting", and "refreshing", but he also raised questions relating to its logical status, and the use of what he called "fictitious" data; he also wondered what impact the spread of democracy might have on our capacity to deal with global problems. His comments present an opportunity to clarify these matters and to fortify my arguments.

Not just a trend, a process

My first concern is to establish the knowledge basis of this argument, as portrayed in the graphic "World Democratization". Of course, that graph does not represent a cycle. While it is clear that, over the past two centuries, a number of countries have entered, and then left, the democratic column, most notably so in the 1930s, overall the tendency has been uni-directional, constituting a demonstrably viable world trend. But is democratization "just" a trend? That question is important because trends are no more than descriptions of past behavior and hold no warrant for simple extrapolation. That is, a trend does not justify a prediction unless it is based on a law-like generalization. To say something meaningful about the future we need to explain,

as Valaskakis rightly argues, "the forces behind the perceived trend" must be specified. Because the forces behind democratization constitute a type of learning process they are also amenable to prediction.

What type of learning process is democratization? It is an innovation-diffusion process, the set of events by which an innovation spreads within its niche or habitat. A major feature of innovation-diffusion is that its unfolding can be described by a logistic (or S-shaped) curve. Once certain initial values of the process are known, its further progress can be projected with confidence. As modern democracy is a major social innovation, we would expect that its spread can be similarly chartered. An early (1989) analysis of data from the POLITY project had demonstrated that democratization did indeed follow, over the periods 1800-1986, and 1837-1986, a path predicted by the shape of the logistic equation[1]. The test was repeated, with basically the same result in 2001[2] and with nearly identical methodology but with democracy data for 1840-2000, and this is the test that the graphic "World Democratization" depicts. In other words, if democratization is innovation-diffusion, we now have grounds for using it as a predictive tool, provided that we come equipped with an appropriate data set.

Is modern democracy really an innovation? Might not critics object that democracy has been known for over two millennia? Indeed, Athens was the model of democracy in the classical era (V-VI BCE) but it was direct democracy in a city state (of some 25,000 citizens). Direct democracy proved unable to adapt to conditions in diverse, and much larger imperial systems, including the empire of Rome (peak population c. 50 million).

It lingered in the experience of Mediterranean cities, including the republics of Genoa and Venice. But it was representative democracy, aided by rising parliamentary institutions, that proved to be workable and a major innovation of the modern era of nation states, basically taking off only in the 19 century as a conjunction of American and British experience.

Democracy, as such, is not a novel idea. But the practice of democracy, not just holding elections, but also nourishing a community of citizens, with freedom of speech and association, in conditions of "equality under law", is something that is acquired, for each country anew, by means of a sustained collective learning experience. The transition to democracy is not easy, and is beset with missteps and setbacks. Moreover, at the regional and global levels, such a transition creates additional problems. The European Union (500 million) is a lead example as to how to work toward reconciling democratic principles at both national and regional levels but is still laboring to reduce its democratic deficit. At the global level (currently at 6.7 billion and still rising) the world system is, broadly speaking, one half democratic, and the transition to a mostly democratic world is unlikely to be all smooth sailing. Global-level democracy presents problems at least one order of magnitude greater than regional arrangements.

Democratization is not just a collective learning process, diffusing an innovation. Broadly conceived, it is the process that is laying the foundations of a global community, for a global community will have to be democratic if it is to endure. But democratization as such is not a solution to all of the world's problems It is one of a cascade of evolutionary processes that make up globalization[3]. It serves as the enabling social context within which global political and economic evolution will be mustered for dealing with emerging global problems.

Predictions
Having now established the status of "World Democratization" as portraying not just a trend but a process, we might take note of the predictions that it embodies. The 1989 study cited in [1] established that by 1986, 39.6 p.c. of the world's population lived in democracies. It also predicted that that figure would attain the 50 p.c. level (known as the flex-point) by 2003. In fact that level was reached between 1995 and 2000 (as shown below, also in [2]). But the 2003 estimate does rate as a satisfactory prediction, given that observed data usually fluctuate to some degree around the trend line.

The measured rate for 2000, as shown in the graphic, was 57.1, that is, ahead of the curve, but by 2010 (when we might be ready for another test) it might also be lower. We also observed that the curve for "world democratization" implies a 90 p.c. democratic world only toward the end of our century.

Fictitious democracies?
The claim that the number of democracies implied in our graphic is "fictitious" is without merit. Of course, there have been over the years, a number of regimes determined to use the "democracy" brand name to their advantage. We need only to recall how in the years after 1945, all the Soviet-dominated countries in Eastern Europe were officially deemed to be "peoples' democracies", and the occupied zone of East Germany even assumed the title of "German Democratic Republic". But few were deceived, and soon no one took it seriously.

We would agree that the line separating democracies from non-democracies (such as one-party regimes, autocracies, military dictatorships, etc.) is not always sharp, objective measurements ambiguous, and subjective judgments potentially biased. But after handling such data for more than two decades, one is unlikely to take it for granted that "if a country's political regime looks like a democracy, it is therefore a true democracy". The judgments embodied in the analysis of "world democratization" were in any event not mine, but those of two experienced research groups, the POLITY survey, first at the University of Colorado, and more recently at the University of Maryland, and of Freedom House, of New

York City, the latter issuing annually since 1972 a comprehensive listing of all free and other countries. The article referenced in [2] contains, in an Appendix, a list of all democracies 1840-2000 (each rated on a scale of 10 to 6). Before raising questions about "fictitious" data, critics need to consult that list, and explain which of the entries they regard as inappropriate.

"Soon the entire world will be democratic"?
A close look at the graphic "World Democratization" demonstrates plainly that its learning curve approaches the 90 p.c. level of world democracy only toward the close of our 21st century. That can hardly be described as "soon". To summarize, therefore, my analysis with the one phrase "soon the entire world will be democratic" is simply wrong. It is a misreading

of my whole argument, the main thrust of which was that in the next one-two decades, that is in the "soon" horizon, with "caution", and "consolidation" as the watchwords, the guiding principle for those who care about democracy should be to safeguard the gains of the past two decades that have given the democratic world a majority status.

On one feasible scenario in the "soon" perspective – a scenario to be avoided – the world system is divided into democratic and non-democratic camps. It is just possible that the challenges now looming ahead, such as climate change, and/or nuclear weapons, will bring forth, from the democracies, a set of political and economic strategies that will bridge these differences. But can we be sure?

World Democratization
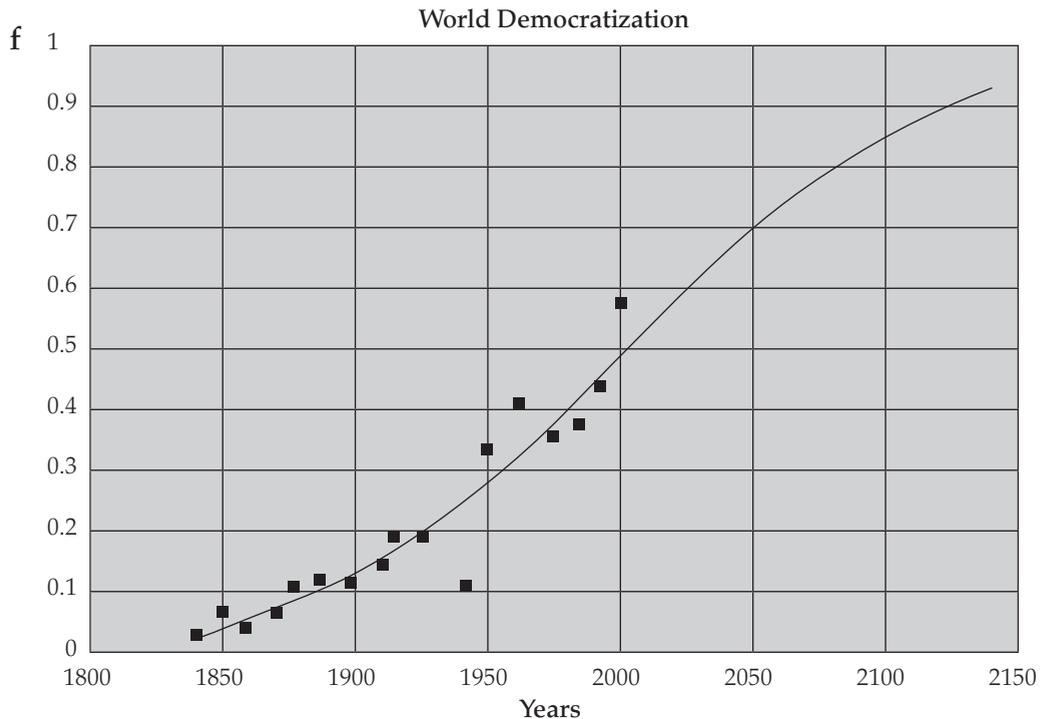
[1] G. Modelski and G. Perry "Democratization from a Long Perspective" at pp.19-35 in N. Nakicenovic and A. Gruebler eds., *Diffusion of Technologies and Social Behavior*, International Institute of Applied Systems Analysis (IIASA) and Springer Verlag, 1991
[2] G. Modelski and G. Perry "Democratization in Long Perspective revisited", *Technological Forecasting and Social Change*, 69 (2002), 359-376
[3] G. Modelski, T. Devezas, and W.R. Thompson eds., *Globalization as Evolutionary Process: Modeling Global Change*, London and New York, Routledge, 2008, Ch.2

A Global, Community Building Language?

Amitai Etzioni

The merits and demerits of a global language

Adopting a global language would greatly reduce the transaction costs of conducting business across national borders[1]. It would greatly facilitate the transmission of knowledge. It would help people of different backgrounds understand each other more readily and might curtail hostility and contribute to conflict resolutions and more generally to peace. Some even hope that "prejudices and stereotypes would be dismantled or differentiated, and more flexible cooperation (not merely in the context of the economy) would become possible[2]". Many a sociologist, however, would warn that increased communication among groups can actually increase conflict. One can though take it for granted that a global language would reduce gross misunderstandings when international agreements and treaties and laws are given different means as result of being translated into a variety of languages.

In an age where the benefits of a global language are not actively considered, some examples from the European Union highlight these merits. As of January 1, 2007 the EU has 27 member states and 23 official languages[3]. The EU stresses the importance of multilingualism among its citizens, explaining:

languages are not a mere means of communication. They contribute to a better knowledge of other European cultures and have a real potential for a deeper understanding between European citizens. Multilingualism policy aims at ensuring multiculturalism, tolerance and European citizenship. Widespread general competence in foreign languages also plays its part in keeping xenophobia and intolerance at bay. We have to understand each other if we want to reap the full benefits of the cultural, social, and economic richness of our continent[4].

However given that no one can learn all the languages of the EU, if more and more European would learn the same second language, this would great enhance such an understanding. However no movement is underway to choose such a shared second language.

The absence of an official, shared EU language causes a significant portion of the total EU budget, $1.3 billion a year, to be dedicated to interpretation and translation of the official transcripts, documents, court rulings and regulations into all the 20 official languages[5]. In addition to exacting considerable costs, numerous misunderstandings arise because of subtle and not so subtle differences in interpretations result from these multiple translations. This point is illustrated by a simple example. The European Central Bank (ECB) is required to use all EU languages for official purposes[6]. In 2006, ECB president Jean-Claude Trichet outlined a change in policy using the simple words "strong vigilance". Translated across the various languages the words communicated different positions. In Spanish these terms were translated as *extrema vigilancia*, which sounds much stronger than the English original and could lead Spanish observers to worry that, "the central bank is

facing galloping inflation". Thus, even with a team of terminologists dedicated to the task of carefully parsing official bank language, it is difficult to preserve nuance across the numerous languages in which the ECB must produce official statements and reports[7].

At the same time, introducing a shared regional language, let alone a global one, runs into the fact that language constitutes a key element of the identity, bonds, history, and culture of many existing communities, whether national or merely ethnic groups within a nation. This fact is used to oppose a shared language in numerous circumstances.

Far from seeking to embrace a shared language, many national and ethnic communities are deeply committed to protect and even promote their particularistic tongue. Thus, since the 1970's many of the Bretons of France have sought to revive their native language; they view Breton as an important element of the culture of the Brittany region that has been endangered due to French linguistic hegemony[8]. Endeavors to promote Catalan in the four Spanish provinces and French in Quebec further exemplify efforts to preserve identity by protecting a particularistic language from a more widely shared one. Opposition to English is especially strong as it is associated with American military and cultural imperialism.

In short, although the merits of a shared language can be readily outlined, the sociological and communitarian foundations of the opposition are at least equally strong. Hence the quest for a shared language best take, and has taken, a rather different course.

Particularism and Universalism
It is a serious sociological misunderstanding to assume that people are either dominated by local, particularistic values or by universal ones, such as those encased in the UN Universal Declaration of Human Rights. It is best to consider a society as a community of communities, not one that holds X millions individuals, as a two or multiple tier social structure[9]. The said integration is achieved by dividing loyalties and identifications between those where more encompassing entities takes precedence (e.g. the nation, in most matters concerning relations with other nations) versus those in which the smaller communities govern (for instance, in the US, a good part of the curriculum of a given school). There are considerable variations in the ways national and local communities share people's commitments and affections, but most if not all societies have at least two layers of such commitments.

This model of a two-tier structure, of layered loyalties and identities, the combination of local and cosmopolitan culture, provides a model for a global language that will have many of the benefits of such a tongue and be much less damaging to the extant constitutive role of language to particularistic communities. Following such a societal design one would seek not to replace particularistic languages that are constitutive of various communities, but add a universal language to them, a *second* language that all would share. For instance, the French could continue to study and speak French as *the* "mother" tongue, enjoy all the subtleties of its literature, particular imagery, nuances, and identity-affirming content. However, when communicating with members of other societies, they would draw on one and the same shared language. (To put it differently, the model of layered loyalties and identities views the global language as additive, rather than as a language that would replace particularistic ones. These particularistic languages serve constitutive roles in communities; seeking to displace these languages would be subtractive[10]). This approach may seem very plausible, even self evident, until one notes that it requires that the second language taught and used by all nations would have to be one and the same

one. If this development is to take place, it would require a major change in public policies of many nations, we shall see shortly.

English: The *de facto* lingua terra

Which language would best serve as the second, global language? In effect, this decision has already been made, although not as a result of any meeting of any deliberative body. As is well known, English has become *de facto* the global language, although numerous nations still resist its use – often because they conflate protection of their primary language with a need to reject a shared secondary one. The fact that English has not been recognized as the said global language is highlighted by the fact that although members of the EU very often communicate with one another in English[11], they not only maintain the use of 23 primary, particularistic languages but have not agreed on a secondary one. Thus in 2002, the heads of state or governments at the Barcelona European Council called for "a sustained effort to improve the mastery of basic skills, in particular by teaching at least two foreign languages from a very early age"[12]. Any two.

One may say that Chinese is in actuality the language more people speak than English, and hence it is the proper terra lingua. However, we are looking not for the largest number of people who speak to other members of their nation or civilization with a particular language, but the number of those who use a given language to communicate across borders and cultures. Here English – whether desired or not – has reached a level that makes it difficult to image how it could be replaced[13]. Nearly a quarter of the world's population (between 1.2 and 1.5 billion people) are fluent or competent in English[14]. An article entitled, "The new Latin: English dominates in academe" reports:

Ninety-five percent of the 925,000 scientific articles published in thousands of major periodicals in 1997 were written in English, according to Eugene Garfield, founder of the Science Citation Index, which tracks science publications. But only half of the English articles originated in English-speaking countries. The trend toward publishing in English began after World War II and has accelerated over the past 20 years [15] .

Increasingly multinational corporations and comparatively smaller companies with a global clientele increasingly use English as their working language. Among the companies that participate in this trend are French luxury goods' LVMH Moët Hennessy Louis Vuitton and Italian appliance maker Indesit Company (formerly Merloni Elettrodomestici). European aircraft manufacturer Airbus' working language has been English since it was established[16]. The German postal service, Deutsche Post World Net, is increasingly using English as its working language.

Thus, de facto English has established itself as the global language, as the second language for many nationalities, who maintain their primary "mother" tongue.

Policy implications

To review our discussion up to this point, before turning to its policy implications: (a) Instead of trying to find one language that all people will adopt, the world is leaning toward maintaining various national and ethnic languages and using English as second language for cross national communications. This combination allows nurturing local cultures as well as the flourishing of the international realm. (b) The choice of English has economic and cultural benefits for nations whose citizens speak English as their first language. These can be countered to some extent but not eliminated. (c) Accepting the remaining tilt seems preferable compared to the alternatives of having no shared language or trying to institute a universal primary language.

The question hence arises what are the implications of the preceding analysis for policy-makers. Clearly which languages are taught in a given school system, can be used to communicate with public authorities, are recognized as the basis of treaties and other legal documents, are employed on a variety of communication devices from street signs to ballots, are all subject to public policy. Public policy hence plays a key role in determining whether the development of a global language is accelerated or slowed down.

For instance, in Quebec the provincial government attempted to erode the use of English and promote French forcefully with the Charter of the French Language. Amongst other rules, this 1977 law required commercial signs in French to replace multilingual signs in English and French, as well as English-only signs. The Canadian government defended this bill before the Supreme Court of Canada[17] and the UN Human Rights Committee[18]. Ultimately, a compromise resulted where both English and French were permitted, though the French must be markedly predominant[19]. The *Office québécois de la langue française* continues to take its mission to ensure that "French is the normal and everyday language of work, communication, commerce and business in the civil administration and in enterprises[20]." The *Office* threatened lawsuits against toy and video game makers (Sony and Nintendo) for not meeting French standards for game instructions and product packaging[21].

The EU has not come to terms with this issue. As already noted it continues to use 23 languages in its official business, but also while it is urging that all students learn a second language (introduced in 2002) – it leaves it up to each school system, what that language is going to be[22].

Assuming for the sake of the argument that most people, under most circumstances find it difficult to learn become fluent in a second language, let a alone a third one, what policy implications follow?

i. Policies that promote merely primary languages and actively agitate against the learning of English[23] (as distinct from seeking to limit the intrusion of English terms), hinder most the development of English as a global language (EGL). The kind of policies pursued by Quebec already cited, are a case in point.

ii. Policies that encourage students to learn languages other than English as the second, and even third language, say Russian in Eastern Europe, are similarly detrimental.

iii. Policies that merely encourage students and citizens to learn additional languages, but not one and the same second language hinder the development of EGL. This policy, we have seen, is officially embraced by the EU. (I write officially because practically English is by far the most common second language taught in EU)[24].

iv. Policies that mandate the study of English as the second language are the most productive ones. Colombia, Chile, and Mongolia have committed to becoming mother tongue-English bilingual. They aim to achieve this goal by specific during the next decade[25].

In conclusion
One can maintain the particularistic benefits of a communal language and still command a global one, as long as one does not try to replace the primary languages with a universal one but instead draws on the global tongue as a second language. However to advance this goal, a key element of building a global community on top of the local ones, requires that the various nations involved choose the same second language. Although theoretically what language this second one is going to be could be determined by a consultation among the nations of the world, in effect English occupies this position. Public policies in many nations that promote second languages but not the same one because of their opposition to English (often conflating preventing English penetration

into the primary language with resisting it as the second tongue). They thus delay overcoming the babble effect at great cost to global laws, shared understandings, and economic transactions. Their policies would be less detrimental if most people, most of

the time, could readily acquire English as a third or fourth language. However gaining fluency in a language is difficult under most conditions. Hence the importance of choosing English as the second language while protecting the primary ones.

[1] In fact, sharing a global, common language may promote bilateral trade. See, Hyejin Ku and Asaf Zussman "Lingua Franca: the Role of the English Language in Promoting International Trade" September 22, 2006, http://www.arts.cornell.edu/econ/azussman/english.pdf (accessed 27 October 2006).

[2] Ernst Apeltauer, "Multilingualism in a Society of the Future?" trans. Gisela Shaw *European Journal of Education* 28, No 3, (1993): p. 281.

[3] Romanian, Bulgarian, and Gaelic will be added as official languages. John Tagliabue "Soon, Europe Will Speak in 23 Tongues," *New York Times*, 6 December 2006, A-10; "EUROPA – Languages." from EUROPA: Gateway to the European Union, http://europa.eu.int/languages/en/home (accessed 26 January 2006).

[4] *Key Data on Teaching Languages at School in Europe* (Brussels: the Eurydice European Unit , 2004), p. 3, available online at http://www.eurydice.org/ressources/eurydice/pdf/0_integral/049EN.pdf (accessed 11 December 2006).

[5] Tagliabue, "Soon, Europe Will Speak in 23 Tongues," p. A-10.

[6] Hanspeter K. Scheller, *the European Central Bank*: *History, Role, and Functions* (Frankfurt am Main: European Central Bank, 2004), pp. 136-137.

[7] Ralph Atkins and Javier Blas "European Central Bank's Coded Nuances Prove a Linguistic Challenge" *The Financial Times*, 30 September 2006, p. 7.

[8] Selma K. Sonntag, *The Local Politics of Global English: Case Studies in Linguistic Globalization* (New York: Lexington Books, 2003), pp. 45-52.

[9] Amitai Etzioni, *The New Golden Rule: Community and Morality in a Democratic Society* (New York: Basic Books, 1996), Chapter 7.

[10] On this point, see Simone Wojtowicz, "The Role of Literacy in Second and Third Language Acquisition" Proceedings of the CATESOL State Conference, 2006, p. 4, available online at http://www.catesol.org/Wojtowicz.pdf (accessed 11 December 2006); Wallace E. Lambert, "Bilingualism and language acquisition," in *Native language and foreign language acquisition*, ed. Harris Winitz (New York: New York Academy of Sciences, 1981), pp. 9-22.

[11] Tagliabue, "Soon, Europe Will Speak in 23 Tongues," A-10.

[12] *Key Data*, p. 3.

[13] "….English has at last become of age as a global language. It is a phenomenon which lies at the heart of globalization: English is now redefining national and individual identities worldwide; shifting political fault lines; creating new global patterns of wealth and social exclusion; and suggesting new notions of human rights and responsibilities of citizenship." Graddol *English Next*, p. 12.

[14] David Crystal, *English as a Global Language*. (Cambridge: Cambridge University Press, 1997), pp. 4-6.

[15] Burton Bollag, "The new Latin: English dominates in academe" *The Chronicle of Higher Education*, 8 September 2000, p. A-73.

[16] John Tagliabue "In Europe, Steps Toward a Common Language", *The New York Times*, 19 July 19 1998, p. D-1; John Tagliabue "In Europe, Going Global Means, Alas, English", *The New York Times*, 19 May 2002, p. A-15.

[17] *Ford v. Quebec* [1988] S.C.R. 712 (Can.).

[18] *Ballantyne, Davidson and McIntyre v. Canada*, HRC 47th Sess., Communications Nos. 359/1989 and 385/1989, U.N. Doc. CCPR/C/47/D/359/1989 and 385/1989/Rev.1 (1993).

[19] "Language Laws in Quebec" CBC News Online, 30 March 2005, http://www.cbc.ca/news/background/bill101/ (accessed 9 December 2006).

[20] "Charter of the French Language, Title III, Chapter II" Office québécois de la langue française http://www.olf.gouv.qc.ca/english/charter/title3chapter2.html (accessed 5 December 2006).

[21] "Nintendo, Sony could face Quebec law suit" CBC News, 10 November 2000 http://www.cbc.ca/money/story/1999/12/10/pokemon991210.html (accessed 5 December 2006).

[22] *Key Data*, p. 23.

[23] Some view English as the language of imperialism, for an overview of promoters of this perspective see Robert Phillipson, *Linguistic Imperialism* (Oxford: Oxford University Press, 1993), pp. 35-37.

[24] *Key Data*, p. 11.

[25] Graddol, *English Next*, p. 89, 95; James Brooke, "For Mongolians, E Is for English, and F Is for the Future," *New York Times*, 15 February 2005, p. A-7.

Responsibility to Protect (R2P) and the Darfur Hecatomb*

Teresa Chataway

Darfur is a highly complex political and social context, and is often referred to as a 'human-made' disaster. It is the epicentre of three overlapping circles of an internal armed conflict. First, a war commenced between the Sudanese government in Khartoum and two armed resistance groups, the Sudanese Liberation Army (SLA) and the Justice and Equality Movement (JEM). Second, there was a proxy war between Sudan and Chad, with each country hosting and supporting the other's rebel groups. Third, localised conflicts are primarily based on land tensions between sedentary and nomadic tribes.

This conflict originally began in August 2002, when Sudan deployed its armed forces to try to control the insurgency. The operation extended until February 2003 but was unsuccessful. In April 2003, the rebel forces attacked the airport at Al Fashir (North Darfur), inflicting heavy losses on the government. Subsequently, the government ceased peace negotiations with the rebels, recruited a large number of militia (Janjaweed) and embarked on a full-scale counter-insurgency operation or so-termed 'scorched-earth campaign' that also resulted in 'cultural genocide'.

Of a population of six million, more than 1.5 million persons were displaced; in excess of 200,000 crossed the border into the remote, barren regions of Eastern Chad. Thousands saw their families killed, abducted, abused or raped. Estimates vary, but over 50,000 died.

Incursions by the Janjaweed on Darfur's black African tribes have been regarded as genocide. But 'the international community ignored Darfur

for too long, letting it rage out of control'. Only belatedly did the conflict attract international attention. Both the Security Council and General Assembly have been criticised for their position of condoning inaction.

To date, conditions for the displaced Darfurians remain appalling. Lack of food and incessant rains drastically increased the threat of water-borne diseases. Many roads became impassable, and aid distribution was severely hindered. Many relief workers were murdered. In certain areas, air lifts of food and medical supplies were the only means of support. Relief organisations such as Oxfam joined many communities to assist in the struggle against the spread of disease and improve the minimal conditions of survival.

In July and August 2003, Sudan's armed forces together with the Janjaweed attacked the towns of Kodoom, Bindisi and Mukjar. Shortly afterwards, the government and the rebel groups signed a peace agreement in Abeche. However, the rebels continued, and increased, their attacks against the government. The armed forces and Janjaweed resumed military operations, and in December 2003 attacked Arawala (West Darfur). The government blocked the main crossings into Chad, stopped its attacks in West Darfur and in January 2004 concluded all major military operations. After losing control of North and West Darfur, the rebels shifted their action to the South. Sudanese Armed Forces attacked a rebel base in the Sindu Hills, causing residents to flee to Mukjar. The town was subsequently attacked by both the armed forces and Janjaweed. They allegedly killed or tortured dozens of civilians, destroyed private and public property, and

pillaged livestock, crops and goods.

The African Union acted as a mediator, and troops from Nigeria and Rwanda were sent to Sudan as members of an African Union peacekeeping force. In April 2004, the government and the rebels signed a ceasefire agreement. However, the rebels continued their attacks in South Darfur, prompting the government to engage in another military operation in December 2004. With the distinct possibility of peace talks breaking down, the United States pressured the Security Council and General Assembly to provide a greater lead to a settlement outline. On 18 September 2004, Security Council Resolution 1564 alleviated the suffering of the Darfurians, particularly through the assistance and document verification provided by African Union personnel. However, that document lacked substance, except for the recommendation that the Secretary-General be authorised to 'rapidly establish an international commission of inquiry to investigate reports of violations of international humanitarian law and human rights law in Darfur, and whether acts of genocide have occurred'.

The threat of sanctions remained if Sudan did not observe this Resolution, or failed to cooperate with the African Union Monitoring Mission in Darfur. No mention was made of humanitarian intervention principles. Rather, this Resolution reaffirmed the UN's commitment to the sovereignty, unity, territorial integrity and independence of Sudan. Khartoum argued that the more outside pressure was applied on it at this sensitive time, the more likely it was to be counterproductive. The wording of the Resolution may suggest that Khartoum's argument was attractive to states, and this in part explains the Security Council's cautious action and world leaders' ambivalence.

Excerpts from Security Council Members' Statements on Security Council Resolution 1564 relating to R2P and Darfur are relevant: 'the situation is totally unacceptable as regards the renewed commitment of the UN in favour of human dignity'; 'there is a need for further and unequivocal actions by the Government of Sudan in carrying out its primary responsibility to extend protection and security to the civilian population'; 'A State has the responsibility to protect its citizens, and, if it is unable or unwilling to do so, the international community – the Security Council – has the moral and legal authority to enable that State to assume that responsibility'; 'there should be no moral hesitation in the Council in taking up its responsibilities'; 'The Security Council cannot neglect its responsibilities'; 'the pressure of the international community has been chiefly responsible for this progress'; 'to protect the people of Darfur, who have been suffering terribly and in a way that is unique in the tragedies of the world today'. A terminology shift has occurred here, with an increased use of the terms 'responsibility' and 'protect' and 'pressure from the international community'. Arguably the statements accord with the definition of state practice in the diffusion stage of the lifecycle of the R2P norm.

However, placing human dignity at the centre of the UN's agenda remains a slow, deliberative process. This could well be expedited as the potential utility of the emerging norm becomes more globally understood, and gains widespread acceptance by the international community. Currently, significant pressure from civil society on some of the major states to exercise their obligation is mounting. Additionally, with Security Council Resolution 1706, the concerted efforts of the World Federalist Movement, Global Policy Forum and Africa Action, the considerable recent literature developed by Evans102 and academic commentators, the renewed sense of legal obligation necessary to implement the R2P norm is strengthening.

The newly appointed UN Secretary-General Ban Ki-moon visited Sudan, and stated he had established a position of trust with Sudan's President Bashir. The Secretary-General

anticipated his support in the current negotiation process to establish the combined African Union–UN hybrid protection force. In his report to the Security Council on Sudan, he contends that 'the paramount goal for international complementary efforts in the areas of security, political and humanitarian assistance must be to stabilize Darfur sufficiently so that its residents are able to participate in the 2009 midterm elections along with the rest of the country'.

On a positive note, in April 2007 Sudan announced it would allow 3,000 international peacekeepers into Darfur. Some observers contend that Sudan's decision reflects China's increased influence on Khartoum to respond to growing pressures from the international community. The threat of UN sanctions may also have contributed. In addition, there are the arrest warrants issued by the ICC (2 May 2007) for Sudan's Humanitarian Affairs Minister Ahmad Arun and the Janjaweed 'colonel of colonels' Ali Kushayb, who allegedly are 'criminally responsible' for war crimes and crimes against humanity. These warrants list 51 counts for each accused, which include persecution, murder and attacks against civilians, forcible transfer, rape, pillaging, destruction of property, inhumane acts, imprisonment and torture.

The persistence and intractability of this harsh conflict has generated developments which continue to impact on vulnerable civilians. Various initiatives to stabilise the country, and build an effective peace process, have failed. Despite the numerous appeals for urgent action, there is yet no coordinated effort by all the relevant parties to address first and foremost the protection of civilians, or related issues such as power-sharing, wealth, individual compensation and disarmament of the Janjaweed militia, or complex questions concerned with justice. The latter include questions about punitive measures and sanctions for the perpetrators of human rights violations. The current position is that 'with the right policies and increased levels of engagement on the issue, there is potential

for Darfur to stabilize within a year. If not, it is almost a foregone conclusion that hundreds of thousands more will be killed on our watch in 2007'.

On the ground, the protagonists are facing the enforcement of Security Council Resolutions 1674 and 1706. Recent international law developments are relevant to Darfur. The ruling by the International Court of Justice (ICJ) in the *Bosnia v Serbia* case states that, in principle, states can be held responsible for genocide. The ICJ ruling reaffirms the important distinction between ethnic cleansing and the ultimate crime, genocide. The finding that Serbia failed to prevent and to punish genocide is quite significant because it is the first time in history that an international court has judged a state legally responsible for violating the Genocide Convention. The potential remains for Sudan to be judged responsible for genocide, notwithstanding that such responsibility is extremely difficult to prove as intentional performance by a specific state.

Alhough there are some clear signs of acceptance of the emerging norm of R2P across all levels of society, its operationalisation still depends largely on the international community grasping the opportunity to redress its failed obligation towards the people of Darfur.

Progress towards a political settlement of the situation in Sudan, including implementation of the United Nations-African Union peacekeeping mission (UNAMID), has been abysmally slow and inconsistent. Darfur remains a litmus test for the new international norm of R2P. The situation has deteriorated due to a proliferation of armed groups, rebel divisions, and escalation of the proxy war between Sudan and Chad. Emerging data over the past year reveal an even grimmer picture for Darfurians who continue to suffer human rights abuses, sexual violence and internal displacement. Recent attacks on humanitarian workers and food convoys are highlighting the growing malnutrition, and

increased mortality levels. Two compelling examples are: on internal displacement, a key finding by the Norwegian Refugee Council states that currently Sudan is the country with the highest numbers of IDPs, and on mortality levels, the UN estimates that besides the 200,000 deaths in 2005, an additional 110,000 died during the last two years.

Sudan's unwillingness to address its poor and highly centralised governance, and procrastination in fulfilling its commitment to protect civilians is a clear case that demands a more sustained reaction by the Security Council and the international community. The ruling National Congress Party (NCP) is determined to maintain power and is deferring the agenda for reforms stipulated in the 2005 Comprehensive Peace Agreement (CPA). The CPA is crucial both for its provisions of significant governmental reforms, and democratisation process leading to the 2009 elections. Implementation of the CPA, however, has been hampered in two ways: by the NCP, which continues to undermine those provisions at the national level, and by the southern-based Sudan People's Liberation Movement's uneven process due to its internal divisions and capacity issues. A BBC programme termed the situation 'All talk and no action'. Essentially, the USA, Russia and China are backsliding in their support for UNAMID not only with regard to the contribution of troops, but also with infrastructure, ground transport, helicopters, and other technical equipment. The hybrid force, which took over from the African Union on 31 December 2007, was to be 26,000-strong but to-date only around 9,000 peacekeepers and soldiers are on the ground. Despite the logistical and security difficulties, peacekeepers have resumed their night patrols, and with the improved security Darfurians are gradually gaining confidence in the mission.

From January to March there was an upsurge in violence in West Darfur as government forces carried out a series of coordinated attacks using aerial bombardments and ground forces in an attempt to clear the area of rebel fighters. However, according to the UN High Commissioner for Human Rights' report of 20 March 2008, the offensives in January and February in the area north of el-Geneina and the villages of Saraf Jidad, Sirba, Silea and Abu Suruj caused severe losses of civilians and indispensable property. Moreover, consistent information gathered by UNAMID Human Rights Officers indicated that such actions, which failed to distinguish between civilian objects and military objectives, violated the principle of distinction under International Humanitarian Law. Another issue with both political and economic ramifications that needs to be resolved is the contested area of Abyei, which comprises significant oil fields. Regardless of the remaining reserves, Abyei will retain its importance because of the pipeline infrastructure. The proposed referendum in 2011 aims to establish whether the Abyei district decides to join what might then be an independent South.

With regard to international justice, the government of Sudan has perpetuated an environment of impunity for crimes in Darfur. It is one year since the International Criminal Court (ICC) issued arrest warrants against Ahmad Harun and Ali Kushayb, but they are both still free in Sudan. Harun was promoted to State Minister for Humanitarian Affairs, and Kushayb, who was in custody for other charges in Sudan, was released. To date the Sudanese government has adopted a defiant stance towards the Court and the international community, and shown a blatant disregard for the authority of the Security Council. Khartoum refuses to comply with SC Resolution 1593, and surrender the two indicted criminals for prosecution by the ICC. Significantly, during April 2008 with the approaching anniversary of the warrants issuance, many human rights organisations and NGOs have mobilised jointly under the banner of *Justice for Darfur* (www.justice4darfur.org). They are sending an urgent call to the UN Security Council, regional

organisations and individual governments to confront Sudan over the alleged war criminals and secure their surrender to the ICC. The appeal is also supported by the European Union, two former justice ministers (UK, Canada) and two former chief prosecutors for the International Criminal Tribunals (Yugoslavia, Rwanda).

Clearly the strategy of threats without imposing them is both inadequate and counter-productive. This is so both for the suffering Darfurians, and for the credibility of the international community. The Security Council must provide greater leadership now available through the operationalisation of the R2P norm. Accordingly, the international community needs to redouble its efforts in countering Khartoum's persistent hostility and defiance by addressing the Darfur conflict in the broader context of Sudan. The recent international impetus indicates an exigency for concerted action by the UN, the international community, other actors, such as the European Commission, and even by appointing a single, empowered mediator with the leverage of major states, to achieve the following outcomes:

• Protection for civilians through a full and appropriately resourced deployment of UNAMID.
• Unrestrained humanitarian access to alleviate hunger and reduce mortality.
• Accountability for human rights abuses, and guarantee of safe-return of IDPs.
• Implementation of the CPA to resolve the underlying political and economic issues in Sudan, and thus facilitating the democratisation process in the whole country.

The Pope's Stance on the Responsibility to Protect

In his address to the UN General Assembly, held on April 19, 2008, Pope Benedict XVI stated that in international relations the rules and the institutions which promote the common good of humanity should prevail, if necessary, over national sovereignty. He called for the international community to realise its Responsibility to Protect citizens when states fail to do so.

"Recognition of the unity of the human family, and attention to the innate dignity of every man and woman, today find renewed emphasis in the principle of the responsibility to protect. This has only recently been defined, but it was already present implicitly at the origins of the United Nations, and is now increasingly characteristic of its activity. Every State has the primary duty to protect its own population from grave and sustained violations of human rights, as well as from the consequences of humanitarian crises, whether natural or man-made. If States are unable to guarantee such protection, the international community must intervene with the juridical means provided in the United Nations Charter and in other international instruments. The action of the international community and its institutions, provided that it respects the principles undergirding the international order, should never be interpreted as an unwarranted imposition or a limitation of sovereignty. On the contrary, it is indifference or failure to intervene that do the real damage".

Globalization and the New Players

Giampiero Bordino

The creation of new spaces – in the sociological sense, i.e. "places of relational and social practices"– of a subnational and, in some cases, even transnational dimension, is one of the most significant new features of the globalization era. Such new spaces often take the form of veritable institutional subjects (e.g. the regions as political units endowed with juridical subjectivity, as in the case of European regions, which are territorial articulations of national States). In other cases they are instead economic and social areas of a functional type, which are protagonists in competition or cooperation processes at the world level, as in the cases, to give a few examples studied by Kenichi Ohmae of Japan since the 1990s, of Hong Kong and Southern China; the Silicon Valley/Bay Area; Northern Italy; the so-called Singapore Growth Triangle, and so on.

In globalization, State-like and national spaces are ever more articulated, even in intertwined (i.e. transnational) forms, in a leopard-skin configuration. Competition or cooperation do not take place between State-like or national areas only, but also, and most often, between areas that are part of them or transversal to them. The economic growth and the competitive force of a nation's economy are actually quite different in different parts of their territory, with ever greater asymmetries. Neither the whole of China, nor the whole of India are growing at record-breaking rates; only a few particular territorial areas do (Shanghai, Bangalore, Mumbai). Likewise, development rates in the USA or in Europe are quite different from area to area, from region to region.

It is to be noted that asymmetries between spaces can also be found in the institutional sphere: different areas have in some cases, as we said, an institutional subjectivity too, and the degree and force of that subjectivity vary significantly from case to case. French regions or regions of the new countries joining the European Union, for example, certainly do not have the same autonomy level as German *Länder* or Italian regions.

The scenario in front of us is then a globalization resembling more and more an "archipelago": asymmetric, articulated, differentiated, complex. Globalization unites, brings territories and societies into contact, but does not make them more uniform; instead, it furthers their ongoing, asymmetric differentiation process. That process produces ever more numerous and noticeable cases of competition and, simultaneously, cooperation between territories and societies. Relations are created between subnational regional areas, and veritable transnational cooperation networks are developed too, where the protagonists are functional actors (companies, civil society representatives, associations, and also bodies of institutional prominence, branches of institutions) located in those territorial areas.

There is to observe that in the scenario briefly sketched above the so-called foreign (or international) policy is less and less an exclusive competence (it used to be one of the traditional pillars of sovereignty) of the national States. The new actors are increasingly "making foreign policy", i.e. they operate both "inside" and "outside" of their borders, they establish

relations, build up transnational networks and projects. Although they certainly have no *hard power* (the use of force, military power: in that field the States have to face the competition of transnational terrorism and organized crime), they certainly have in their hands a very significant share of *soft power* (ability to have an economic and cultural influence, etc.). States, their governments, their diplomatic apparatuses are then somehow "forced" to negotiate with the new actors about roles, competences, operational spaces; in fact, they cooperate and, simultaneously, compete with them much more than one would expect from formal norms and regulations.

It is to be noted that such a behavior has a structural cause (it is not transient, nor tied to specific choices), but is in the very nature of globalization. Together with the growing trans-national mobility of goods, capitals, people and "signs", the "outside" comes more and more often "inside" (think of the migration streams) and, on the other hand, the "inside" (people, enterprises, etc.) projects itself more and more often "outside", goes beyond its borders, makes itself, so to speak, "nomad". No actor, then, can make any longer "domestic policy" (take care of his/her domestic space, including the "outside" that has penetrated inside) without simultaneously making "foreign policy" either (take care of the "inside" that has gone outside, manage inter-dependences).

The fact is that no one of the great "public goods" – security, the environment, health care, knowledge, development, etc., that is to say, the necessary conditions for us to be able to really enjoy our "private goods" – can now be produced and assured "at home" only, within our borders. Regional actors seem to be, at least in some cases and to a certain extent, more advanced than States in becoming aware of that. Owing to their proximity to the individuals in the economy and in civil society, they live every day the interdependence between the inside and the outside, therefore they are *de facto* driven to

take care of that. This determines a thrust to call for and acquire new competences, to stress their role, to reinforce their international and global commitment.

In the specific case of Europe, in the framework of the European Union the weight and the role of regional institutions (including the States which are members of federations, like the German *Länder*) stand out for at least three aspects. The first is the political and economic one, which becomes evident if we just look at the figures of public expenditure. In the 25-member Europe (2005 data), territorial communities (commons, intermediate bodies, regions: more than 89,000 sub-national institutional entities) handle a public expenditure amounting to almost 16% of Europe's GDP (1,726 billion euros), and, in particular, they handle two thirds of the overall public investments. They are therefore the first public investor in the Union. The second aspect is related to the regions' international relations. The growing activity of European regions in the world is an evident fact: international missions, creation of "desks" and "antennae" in other countries and continents, promotion of transnational networks, cooperation-to-development initiatives, etc. There is by now a sort of "parallel diplomacy" or "para-diplomacy" by the regions, which goes side by side with and intersects that by national governments. The third aspect, finally, no longer international but now domestic, given the success of European integration, regards the role the regions play in the Union's constituent process. The European regions cooperate and create networks between themselves; they actively participate in the management of community policies, and are lobbying for the Union's institutions. In other words, they concretely participate in the constituent process, well beyond, as we said, what may appear from national and community regulations. They operate in a transverse fashion relative to the national States, thus decisively contributing to the integration process of societies, economies and cultures in Europe.

To sum it up, and come to a conclusion: the world today is populated by a growing number of regional, subnational and transnational actors, who actively contribute to the globalization process and to the ongoing developments in global governance. They are on the one hand institutional actors, being regional bodies endowed with public powers; on the other, they are functionalist actors, being economic and social areas of a regional dimension, endowed with an identity and a role of their own (a role that aspires, as happens in some cases, or could aspire to materialize in the institutional sphere too) in the framework of a global competition/ cooperation between societies and territories. These actors constitute a part of increasing importance of the "postnational constellation" that characterizes the globalized world. They are actors, as recent experience shows (think of the secession threats in the Flanders and the ensuing possibility of a confederal regression in Belgium, or of the Basque Country problem in the Spain of autonomies), marked by contradictory thrusts between integration and disintegration, between coexistence and breaking up. But in any case they do exist, weigh and will weigh ever more, have and will have a decisive role in

the processes for building a global governance (and in the future a global government).

How to incorporate then in the theoretical reflection and in the political praxis this emerging reality, this new complexity which seems bound to mark ever more the prospect of the 21st century? The world, if we do not want to succumb to conflicts and want instead to put ourselves in a position to produce the "global public goods" we need, shall become the object of a new "*foedus*" (pact), a global pact that is to be a legitimized and effective one. This is one of the great challenges that the federalist thought of the 21st century is faced with, to which tradition alone cannot provide answers (they were different times, different contexts, different challenges). It is necessary to consider in new terms the variety and complexity of the actors who shall be partners in the pact; the conditions and the guidelines of a possible pact leading to fewer asymmetries and more cohesion; the strategies, the opportunities and the risks of those guidelines. It is a "reflection yard" that has to consider both the federal institutional model for the world and the strategy for concretely accomplishing it.

Xenophobia in the New Germany

Edith Pichler

In the last days of December 2007, a German pensioner was attacked and beaten in a Munich subway station by two youngsters of foreign origin, Turkish and Greek. Since the beginning of the year, politicians and the media have been discussing over juvenile crime (although such discussions are addressed mainly to young criminals with a migratory background), stiffer penalties also for minors under the age of 12, etc., and possible expulsion of the offender even if he was born and raised in Germany.

While discussions were being held about young criminals with a migratory background, "German" youngsters, naziskins or not, were attacking and inflicting serious injuries in Berlin to a Nigerian who was delivering newspapers to subscribers early in the morning. Later on, everyday episodes: in the week from Jan. 1 to Jan. 6, 2008, every day, except on Jan. 1, acts of violence of a xenophobic character occurred.

But let us see some of the most significant cases occurred in the past before coming to some clarifications and observations.

• *Amadeu Antonio Kiowa* from Angola was living in Eberswalde, in the Brandenburg region, as a worker hired in the framework of the agreements between the DDR and other socialist developing countries like Angola, Mozambique, Vietnam, etc. In the night between Nov. 24 and 25, 1990, a group of about 50 skinheads with baseball clubs was walking around in the town to "hunt the negroes". In a bar they met three Africans, whom they started beating. While two Mozambican workers managed to escape, seriously injured, the third, Amadeu Antonio Kiowa, aged 28, would not come out of the coma

and would die two weeks later. Five of the young offenders were sentenced in 1992 to maximum penalties of four years or were paroled, because it was impossible to determine who inflicted the mortal blow.

• *Orazio Giambianco* was hit on the head on the night of Sept. 30, 1996, with a baseball club. The skinhead Jan W. and his pals went around in a car in the Brandenburger town of Trebbin, looking for Italians working in several construction yards in town, to beat them. Giambianco, aged 55, had arrived a few days before from the town of Bielefeld (North Rhine-Westphalia), where he had emigrated two years before. Giambianco and two Italian colleagues were heading towards the right-wing extremists, and Jan W. immediately struck his club on Giambianco's head, who will survive thanks to two operations. He was saved, but his life is ruined for ever: he suffers from spastic paralysis, brain damage, depression, he cannot speak well, and his chances for recover are nil. In 1997 Jan W. was sentenced to 15 years in jail, but because he has now distanced himself from the neo-Nazi groups, he has been released from prison in 2004.

• *Omar Ben Noui*, while running from a group of skinheads who were chasing him in Guben (Brandenburg), smashed into a glass door of a building where he was trying to take refuge. Due to serious injuries to main arteries and to the belated arrival of rescuers, Omar Ben Noui bled to death. The skinheads who participated in the chasing were sentenced on Nov. 13 to up to three years.

The list could continue, and would get much longer if also intimidation acts against foreign

entrepreneurs – restaurateurs or shopkeepers active in the new *Bundesländern* – were added. The *Frankfurter Allgemeine Zeitung[1]*, in a long article on the NPD party, whose activities in some areas of the new *Bundesländern* are by now commonplace, reports on one case in Hildburghausen, in Thuringia. According to the local Secretary of the NPD party, the Italian managers of the ice-cream parlor *Firenze* should run no business in town. Many times the party militants have daubed xenophobic words on the walls of the shop, or smashed its furniture. In other cases Turkish, Chinese, Italian restaurants have been set on fire.

Even if also in the Western regions politicians can be found who use xenophobic words, the new *Bundesländern* are the ones characterized by right-wing and xenophobic movements. There, being right-wingers is part of the juvenile culture, and in some areas it is the predominant juvenile culture, a form of protest, like the leftist movement is in Germany's western regions. The right-wing groups occupy the public spaces of many cities, in particular around railway stations, spaces they call "*national befreite Zone*", i.e. national areas free of individuals unconnected with the nation: they may be foreigners, but also people of the left and even good middle-class guys. That's the reason why before the Football World Cup games Schroeder's former spokesman gave notice of off-limits areas, dangerous for foreign supporters and especially nonwhite people.

What are the causes?
While in Federal Germany the elaboration of the national-socialist past and the collective sense of guilt/responsibility have become part of the identity of the new State and in particular of the generation of 1968, the DDR has nurtured from the start as its political legitimation the myth of a nation founded by heroes or victims (instead of heirs, like Federal Germany did) of the Third Reich. Putting it in simple terms: the heirs of national-socialism were in the West, while the heirs of the anti-Nazi resistance, i.e. the

Communists, were in the East. Recent studies and analyses demonstrate that precisely for the fact that these issues have not been debated and elaborated, a "dissident" right-wing behavior and attitude opposed to the Communist system have been favored instead.

In the West, the groups of the right could operate freely, although they were checked by the State police (*Verfassungschutz*), while civil society was continuously articulating and developing through demonstrations, initiatives and publications a critical attitude towards right-wing extremism. In the DDR, instead, all activities of parties not complying with the Socialist Unity Party (the SED) were forbidden; that, however, did not prevent informal right-wing groups from being formed; but the State kept them concealed and remained silent, because in their opinion such movements could not exist in a State which was "anti-fascist" by statement and tradition. This made it impossible to launch critical initiatives and to awaken public opinion against such manifestations. This is true not only with regard to extreme right's actions, but also to attitudes (for example xenophobia) and structural features (for example authoritarianism) related to the same.

Instead of openly discussing on the national-socialist period, for forty years they have tried to insist on and have shown off the memories of a minority, the anti-fascist Communists, as a DDR collective memory. But the majority of Germans during Nazism had sympathized with and actively supported that regime. So, one can note from the start a discrepancy between citizens' experience and conviction, and the SED's propaganda. The anti-fascist myth was actually a construct and a coercion. According to the regime propaganda, thanks to the democratic and anti-fascist changes nationalism had been overcome in the new State of the farmers and workers (*Arbeiter und Bauernstaat*), and did not exist any longer. While in the DDR's propaganda, reminding of

the anti-liberal and anti-western formulas of the old German nationalism, Western Germany was assailed as a "colony of American imperialism", the DDR was defining itself as "the true German government/State".

Anti-Americanism and anti-capitalism were DDR's official ideologies, which the right-wing extremists could and still can make reference to. On the other hand, the regime too needed political legitimation, and such a legitimation was created by putting together in their national iconography socialist and nationalist elements: for example, a very patriotic education system, that made use of notions like love for the fatherland (*Heimatliebe*) and pride in the achievements of the DDR, which was one of the economically strongest Eastern European States. Moreover, the main "socialist values" to be handed down were: love for work, order, cleanliness, hygienic-social values, that is, values common to the nationalist right. This fact prevented to debate and openly tackle the new phenomenon of right-wing extremism, which already appeared in the mid 1970s, because that would have questioned some fundamental values of the system.

In the DDR, in addition, amid the population there was the presence of xenophobic and anti-semitic attitudes, the latter to be partly ascribed to the regime's anti-Zionist policy. The SED regime was denying their existence for political interests, and due to the fact that for the official ideology they were the result of the capitalist system and imperialism, there was no discussion about them, thus impeding a public debate on those issues and the development of tolerant attitudes toward minorities.

Contrary to the political slogans on international solidarity and brotherhood, only of course with the socialist countries, the DDR population had no chance to have many relations with foreigners, and in case they had, they were in the sphere of official relations regulated by the system. Their experience with foreigners was thus limited

to rituals in the event of performances by the several mass organizations. "Normal" dealings with foreigners represented for the system a risk, and even international cultural events like the many World Youth Festivals or the Festivals of political songs were overseen by the police.

Also with respect to foreign workers living in the DDR starting from the 1980s thanks to bilateral agreements with other socialist countries like Vietnam, Mozambique, Angola, Algeria, Cuba and Hungary, the DDR policy was not addressed to their inclusion, but rather to their segregation and reduction to the minimum of the relations between the German population and foreign workers. They were living all together in apartments provided by the companies, a few square meters per person, four people per room, checking everybody entering or leaving the buildings. This policy was impairing relations with other nationalities, petrifying the distance between local people and foreigners. Due to such isolation, the DDR population knew very little of the reality of foreign workers, while the development of prejudices and stereotypes was made easier, and xenophobic tendencies greater. For example, there were rumours about foreigners being allegedly paid in convertible currency; and because in an economy plagued by scarcity of consumer goods even buying them turned into a competition among groups, rumours spread about alleged smuggling and buying up of products by foreign workers.

The ideological heritage in the new *Bundesländer*
Ideas such as authoritarianism, anti-pluralism, collectivism and the friend/foe dichotomy persisted even after the fall of the Berlin Wall in 1989, becoming the structural principles of the right-wing extremists. After Reunification, the various right-wing movements could set up, with the help of extreme-right managers of DDR origin expelled to the Federal Republic in the past years, a well organized infrastructure.

To that ideological humus, there is to add the

social and structural changes occurred after the fall of the Wall, which certainly fostered and is fostering the growth of xenophobic behaviors. The de-industrialization process and the restructuring of the agricultural economy (with the breaking up of production cooperatives) have cut jobs and increased unemployment, which in some areas is more than 20%. Those processes have created bewilderment not only among adults, for whom their job was the core of their everyday life, but also among youngsters, who are faced with an insecure future. In some regions of the new *Bundesländer* one can observe phenomena of high emigration, not only towards the prosperous regions of Southern Germany, like Bavaria and Baden-Württemberg, but also toward Austria, Switzerland and South Tirol. And are precisely the people with a good cultural and professional background, often women, which go away, leaving behind towns with a majority of men with no perspective: no job, no possibility to form a family, for whom only alcohol is company.

Such a reality too is for some observers a cause for the increase of xenophobic attitudes and the success of extreme-right parties, like the NPD or the DVU. In the Mecklenburg-Vorpommern region, where elections were held in 2006, the extreme-right party NPD got 7,3% of the votes, and six deputies sit in the *Landtag,* the regional Parliament; in Saxony's regional Parliament, the NPD in the 2004 elections had 12 deputies elected, with 9,2% of the votes; and in the same year in Brandenburg the extreme-right party DVU went over the 5% threshold with 6,8% (for example the Greens stopped at 3,6% and the liberal party FDP at

3,3%) and 6 deputies were elected. The voters turnout in regional elections is relatively low in all of the new *Bundesländer,* a fact that may also denote a possible detachment and indifference about politics by the citizens: in Brandenburg it was 56,4%, in Mecklenburg-Vorpommern 59%, in Sachsen 59,6%, in Thüringen 53,8%, in Sachsen-Anhalt 44,4%.

At the county and city level, the NPD can do even better, as in the towns of Saxon Switzerland (*Sächsische Schweiz*) in Sachsen, an area at the border with the Czech Republic, characteristic for its mountain landscape and a tourist attraction already before the war and during the DDR years. The party, whose candidates are also members of the group *Skinheads Sächsische Schweiz* (SSS), got 9,1% of the votes (it is the third-ranking party after CDU and PDS (the heir of the SED)); in Reinhardtsdorf-Schöna 25,2% (second-ranking party after a local political movement); in Königstein 21,1% (second-ranking party after the CDU); in Sebnitz 13,2% (third-ranking party after CDU and PDS); in Ostrau, near Bad Schandau, 18,8% and its candidate received the majority of the ballots.

Finally, one should add to the causes of that situation the unaccomplished state of a true European unification, able to create a European identity that collects and sums together regional diversities as an enhancement of such an identity. In other words, unaccomplished state means that the federal model of unity in diversity of peoples has not become collective conscience yet, leaving room for xenophobia, racism and so on.

[1] Olaf Sundermeyer, „Der Moment vor dem Gewaltausbruch", *Frankfurter Allgemeine Zeitung,* 1.9.2007

The Lisbon Treaty - What next?

Jo Leinen and Jan Kreutz

European Federalism will soon be back on the political agenda. In the past decades, decisive steps were taken towards pushing forward the European integration project. Each treaty change brought us closer to fulfilling the visions of Altiero Spinelli and the other founders of the European federalist movement: a peaceful integration of nation states that for centuries had systematically ruined each other and forced the Europeans to suffer; a democratic and stable political system for the entire continent, based on federalist principles; the establishment of a Union of Citizens. No previous treaty has brought us so close to the aim of a federal and democratic Europe as the Treaty of Lisbon: co-decision between the European Parliament and the Council of Ministers will be introduced as a general rule, the veto-powers of the member states will be reduced to a large extent, participatory democracy will be introduced, justice and home affairs will be communitarised and a quasi foreign minister, supported by a European External Action Service, will be introduced.

However, much remains to be done. During the implementation phase, many of the federalist achievements could be winded back. Many questions remain open: the relationship between the institutions and the relationship between the different "EU-leaders", the positioning of the European External Action Service and the implementation of the "participatory democracy" concept, just to name a few. The federalists should raise their voice in the next months and contribute to the debate. The Treaty of Lisbon – even though it is a considerable improvement compared to the Treaty of Nice – is not the last

European treaty. The European Federalists have to develop ideas and visions for the next steps towards a truly democratic Europe, to be taken after the European elections next year.

The Lisbon Treaty: An important step on the path to European Federalism

The Lisbon Treaty can be considered as a breakthrough for European democracy. It is an important intermediate step on the way from an economic community to a political Union and from a Union of governments to a Union of citizens. The new post of "President of the European Council" will be introduced. But this is not at all to be mixed up with a real European President. Considering that the powers of the European Council President will be limited and considering the unlikelihood of the European governments and citizens accepting one central leader for the Union, it is obvious that the EU will not develop into a presidential system. Instead, the new Treaty defines the European Union clearly as a parliamentary system.

Once the new Treaty is ratified, the European Parliament will be more or less on equal footing with the Council of ministers. In 95% of European legislation, co-decision between the European Parliament and the Council of Ministers will be the rule. It will have equal rights in the budgetary procedure. With its new powers, it will be able to ensure that the EU budget is spent in the best interest of the citizens. Furthermore, it is the European Parliament who will elect the President of the European Commission and no longer the Heads of States and Governments. This is another important step in transforming the Union of States into a Union of Citizens.

Soon the European Political Parties will campaign for the European elections with their top candidate, competing for the position of "President of the European Commission", the head of a developing "EU-government". By participating in the elections, the Union citizens will thus have better possibilities to directly influence the political agenda of the EU.

The Commission will be strengthened in its role as the "European government". In important areas, such as climate change, energy policy and civil protection, the EU will receive new competences. Therefore the Commission can develop new political initiatives and extend the field of activity. The introduction of the new legal forms of delegated acts and implementing acts will strengthen the role of the European Commission to execute the legislation adopted by the Council and the Parliament, a traditional role for every government. Furthermore, it will be primarily the President of the European Commission and the High Representative for Foreign Affairs and Security Policy, who will represent the EU abroad. An important development will be the scaling down of the number of Commissioners to two thirds of the member states from 2014 on. Since not every member state will be represented in the Commission, the Commissioners will no longer be able to act as representatives of their member states in the EU. All of them will have to represent the common interest of the EU and will have to work for the strengthening of the Community method, even in cases where this goes against the interests of their home country.

Important for the development of European democracy is the new citizens' initiative, requesting the Commission to put forward a proposal for European legislation, if this is demanded by one million European citizens. This will help the Europeans shape the political agenda of the European Union and bring the EU closer to its citizens. A large majority of the Union citizens are in favour of a more democratic Europe. Therefore the new tool of the citizens'

initiative should be used by non governmental organizations such as the UEF to put political pressure on the institutions to make further steps in this regard.

The introduction of qualified majority voting as general rule for decision-making in the Council of Ministers is an important step forward. In most policy areas, individual member states will no longer have the possibility to block initiatives launched by the EP and the Commission. Since it will no longer be necessary to find a minimum common denominator amongst the member states, policy making in the EU will be faster, more efficient and more ambitious. Policy delivery and problem solving on the European level will improve. As a result, the EU will gain more legitimacy in the eyes of the citizens.

The procedure for amending the Treaties will be revised. In the future, new European Conventions can be set up, in order to prepare substantive changes of the European Treaties. Considering the experience with the previous two conventions, it is very likely that future conventions will decide to move towards a federal Europe and to more democracy in the EU. With the Lisbon Treaty, the European Parliament has the right to put forward amendments to the European Treaties and it will use this right after the 2009 elections.

Unfortunately, there are a number of setbacks, in the Lisbon Treaty vis-à-vis the Constitutional Treaty. A real loss was the reformulation of Article 1 of the Constitutional Treaty, which defined the EU as a Union of states and citizens. With the Lisbon Treaty, the EU will be founded on the will of the "High Contracting Parties", the member states. Negative is also the removal of the European symbols, which reduces the visibility of the European Union. During the Intergovernmental Conference last year, Great Britain, Poland and Ireland insisted on opt outs from several EU policies, endangering splitting the EU into two groups and risking to slow down the integration process of the entire EU. Due to

Polish pressure, the introduction of the double majority system in the Council was postponed to 2014, possibly even until 2017. Furthermore, in some areas of Justice and Home Affairs, the member states maintain strong veto powers. Also in the area of foreign policy, too little was done to strengthen the European dimension and the role of the EU in the world. To be criticised is also the creation of a President of the European Council – next to a Commission President and the "Foreign Minister" – which could lead to confusion and strengthen the role of the intergovernmental method in Europe. However, those setbacks are few compared to the enormous number of improvements introduced by the Treaty of Lisbon, compared to the Treaty of Nice.

Implementing Lisbon in a federal way
The real significance of the Lisbon Treaty depends a lot on its implementation. Like every other Treaty, the Lisbon Treaty is only a legal framework. How this frame will be filled with content, remains to be seen in the next months. Several provisions can be interpreted in different ways. One of them is the post of the President of the European Council. In the media this post is already portrayed as the future face of the European Union, as the President of the EU. However, from a federalist point of view it should be ensured that the European Council President is in reality no more than a chairperson. The political leader of the EU should be the European Commission President, the head of the quasi "EU-government" and therefore the quasi European Prime Minister.

A very important area for the future integration of the European Union will be the European foreign policy. With the Lisbon Treaty, a "Foreign Minister" and a European External Action Service will be introduced. How far this will contribute to an integrated and stronger European foreign policy, remains up to the implementation of the treaty. Although all institutions claim that the European External Action Service should have a *sui generis* character and should be independent

from direction from all EU institutions and the member states, behind the scenes the Commission and the Council both work towards a service which is directly connected to them. The foreign service's ability to contribute to a genuine European foreign policy depends directly on the construction of the service. If the Council and the member states gain control over the European External Action Service, the Union risks to continue speaking with many different voices in international politics. Since it is possible that the service will also include aspects of the foreign trade policy and the development policy, there is a certain risk that those community policies are reintergovernmentalised through the European External Action Service.

Problematic will also be the developments concerning the opt outs of Great Britain, Poland, Ireland and Denmark. These opt outs are a dangerous precedent. They bear the risk that the EU is split into different groups – those willing to integrate and those opposing a political Union – and citizens from some countries will be treated as second class Union citizens. In the future, more must be done to avoid that further countries, especially the new member states and the Scandinavian countries, follow the example of Britain and try to block future integration steps or keep out of certain policy areas. On the other hand, the enhanced cooperation procedure is an important tool to allow "coalitions of the willing" to go ahead and to overcome blockades of the European integration project. Efforts should be made to put pressure on the governments of Great Britain, Poland, Ireland and Denmark to overcome their opt-outs.

Reviving the federalist vision
In the past years – especially after the failed referendums in France and the Netherlands – many voices in Europe claimed that the European constitutional project had been defeated and that the federalist visions had failed. Although this is far from being the truth, too little was done to openly oppose this view. Federalists should play a role in explaining to

people that this new Treaty is another step on the way towards a federal Europe and that a stronger European Parliament, enshrining the participatory democracy in the Treaties and the strengthening of the Union citizens rights, is the result of political pressure from European federalists. We have to underline that the Federalists will continue to work for a more democratic Europe. We should not be scared to oppose eurosceptic views in public and strongly demand further steps towards a United Europe, even though not all of them might seem to be feasible in the short term.

In the past years, the European Federalists have partly been the victims of their own success. In the fifties, sixties and seventies, we managed to mobilize ten thousands of people with demands for peace on the continent, a borderless Europe and a common currency. All of those aims have been achieved. For the next steps towards a democratic Europe, such as a federal European Constitution, it will be more difficult to mobilise citizens. We have to define a clear message on what should be achieved. For the next years, this message could be that a strong "European Government" is needed in order to answer the challenges of the 21st century. The citizens' initiative could be used to gather broad support for such demands.

Next steps on the path to European Federalism

The priority for the near future has to be the implementation of the new Treaty, to make the reforms work and to develop new, strong European policies. However, the construction of the European Union is not completed yet. In order to make the European Union really democratic, strengthen the role of the EU in the world and improve the European policies, further reforms have to be done. The institutional setup and the way decisions are taken in the EU have to be addressed once again. In this regard we should analyse the concept of "institutional balance". In the recent history of the European Union, there was a broad agreement not to touch the

existing "institutional balance". This meant that in the past reform processes the strengthening of one institution was only admitted if also the other institutions were reinforced. This may be no longer appropriate. We have to analyse which role each institution can and should play in a democratic Union.

Especially the role of the Council and the European Council should be evaluated. Should we overcome the co-decision method and introduce in some policy areas the exclusive right of the European Parliament to decide, for example in some of the areas where the EU has the exclusive competence? Also the role of the European Commission should be reconsidered. It used to be the "guardian of a general European interest". But in times when the European Union rightly starts to become more politicised, the "Common European Interest" depends on the political point of view. Different parties represent different visions of how European policy should develop. The new Treaty gives the Union citizens better opportunities to choose the political direction they whish the Union to take. Therefore steps should be taken to better align the European Commission to the will of the majority in the European Parliament.

Also the monopoly on the right of initiative for the Commission is no longer justified. The European Parliament and the Council of Ministers should therefore receive the same right to initiate European legislation. The co-decision method and qualified majority voting should be strengthened and extended to further policy areas. The setup of the Council of Ministers could be reformed as well. One idea would be that in the future it is the respective Commissioner and not any longer a minister from a member state that chairs the Council formations. This will be already the case with the Foreign Affairs Council, which is chaired by the High Representative, who is Vice-President of the Commission. The General Affairs Council, which will be very important for coordinating the work of the Council, could be chaired by the

Commission President.

Very important will be the reform of the European budget. Restricting the Union budget to little more than 1% of the Union's gross national income, will not allow the EU to fulfill all its tasks in the years to come. Own Union resources – such as an EU tax – should be introduced and all budgetary decisions, on income and expenditure, should be taken with qualified majority.

The biggest obstacle for a federal development of the EU remains the revision procedure for the European Treaty. Any single member state can block the ratification of European Treaty revisions. In the European Convention – where a clear majority was in favour of more ambitious results than those achieved in the end – the setbacks concerning a strong and democratic Union were due to a veto-threat from some member states.

There are two options to overcome the member states veto right in treaty reforms. A super-qualified majority voting for the ratification of the European Treaties could be introduced: a Treaty is ratified if it is approved in three quarters of the member states representing three quarters of the EU citizens (independent on whether the ratification has been conducted by parliamentary means or through a referendum). Alternatively a real European referendum could be held on new treaties: a referendum is held in all member states on the same day and with the same question. If a majority of the participating citizens vote in favour and if the referendums have been positive in two thirds of the member states, the referendum is successful. In both cases, the EU could be considerably strengthened and deepened. Those member states who consistently oppose further integration and the ratification of agreed reform-treaties and in which a majority of the citizens oppose membership, should make use of the new exit-clause.

Indeed, the question remains in how far the implementation of such a procedure would increase the support of citizens for the European Union and whether citizens would not see this as a betrayal of their right to decide about the future of the Union nation state by nation state. However, the European Union is doomed to failure, if it is not able to reform itself and adapt to new challenges. In a Union with 30 member states, unanimous agreements will be extremely difficult to achieve. Once the Lisbon Treaty has entered into effect, it is important to start a new debate about the questions raised above. In July 2007, the European Parliament expressed its will to use its new right of initiative to put forward proposals for changes of the European Treaties. The European federalist should speak up in this debate and mobilise public support.

The European Union and its Institutions

Donald Sutherland

In the first years of Mr. Blair's premiership after 1997, the euro was the prominent issue in the United Kingdom's political debate about the European Union. During his latter years in office, European institutional questions came to play a much larger role. They are already posing the first major European challenge to his successor. Mr. Brown's intention is not to hold a British referendum for the ratification of the new treaty, given the British government's success in negotiating a number of British "opt-outs" from the treaty and protecting a range of British "red lines". In his presentation of the government's position on this issue to the House of Commons, Mr. Brown couched his contribution in the negative terms of political discourse current in both the main British parties. Over the past ten years, and particularly since the rejection of the European Constitutional Treaty by the French and Dutch electors in 2005, there has in general been a noticeable sharpening of British governmental rhetoric on European institutional questions. This rhetoric and the political analysis which underlies it are today as a result practically indistinguishable from those which characterised the Conservative government of the early 1990s, before its final descent into Eurosceptic incoherence.

New Labour's growing travails on European institutional questions are in reality a direct consequence of its incapacity to resolve the long-standing political cancer at the heart of Britain's membership of the European Union, namely the widespread belief in the United Kingdom that Britain can and should be a member of the European Union only on its own terms, prominent among which terms is the desire that the European Union should be a primarily intergovernmental arrangement, with central institutions of strictly limited competences. Whatever the abstract merits of such an analysis, it is one only marginally related to the present realities of the European Union to which the United Kingdom has belonged for more than thirty years. Nor is there any reason to believe that it is an analysis likely to find any greater reflection in the future realities of the European Union.

Towards the end of his period in office, Mr. Major frequently made reference to the, for him, unacceptable prospect of a "federal super-state" which he saw as being the likely outcome of the approach towards European integration embraced by certain of Britain's partners in the European Union. It is no coincidence that similar phrases have over recent years crept back into the vocabulary of Mr. Blair and his ministers, despite a noticeable attempt to get away from such vague and tendentious formulations during the first years of New Labour in government. Mr. Miliband, for instance, took the occasion of a recent article in the *Daily Telegraph* on Turkey to state that the Lisbon Treaty constituted a "rejection of the federal vision of Europe." The Conservative government in the early 1990s had made precisely similar claims about the Maastricht Treaty. No doubt Mr. Miliband and all of those other British politicians who have in varying degrees positive views about the European project would claim that they must employ such rhetoric in order to distance themselves from the damaging caricature of their views presented in the Eurosceptic media, a caricature which frequently accuses them of

wishing to abolish entirely the nation state. No such abolition is remotely in prospect. It is to be hoped that in the future Mr. Miliband and those who think like him will take the opportunities available to attack the caricatures which their moderation on European issues may provoke rather than lend these caricatures credence by misplaced polemic against "federalism".

As used in current British debate, the term "federal" is one almost entirely without a descriptive core, often little more than a formula of vague abuse. But this rhetorical sloppiness has definite political implications. On any coherent definition of the term, the European Union has, and will always have, within its structures important "federal" elements. Every day, Mr. Miliband and his colleagues participate in the workings of the federal structures of the European Union, voting on European law in the Council of Ministers; co-legislating with the European Parliament; applying European law domestically; appealing to the European Court of Justice; contributing to and benefiting from the (admittedly small) European budget; sharing sovereignty with other member states and the Commission in the day-to-day regulation of the internal market; and accepting the autonomous decisions of the Commission in its areas of exclusive competence, such as competition policy. This list is not exhaustive, but all its components are elements of a political system which is at least partly "federal" in character. Co-existing with these "federal" elements are of course many definitely confederal and intergovernmental aspects to the Union, which have led respected commentators accurately to describe the Union as a *sui generis* political arrangement. A European Union which is a United States of Europe precisely along the federal lines of the United States of America, or one which is a simply intergovernmental arrangement, purged of all federal characteristics, are today equally implausible final destinations for the European Union. It was the understanding of this nuanced reality which initially led Mr. Blair and his colleagues to avoid the polemical and

exclusively pejorative use of the word "federal." The later recrudescence of this rhetoric is a reminder of how firmly much of British public and political opinion remains stuck in the political and intellectual morass into which the Conservative party plunged Britain's European policy in the 1990s.

An equally lazy rhetorical variant of New Labour's and Old Conservatism's rejection of "federalism" is the often-waved scarecrow of a European "super-state" against which the British government sometimes presents itself as "winning the intellectual argument," while on other occasions it sees itself as the only opponent of this demonic prospect in an otherwise heedless European Union. Central to the British government's analysis of European institutional questions in recent years has been the belief that the British government must be seen by the British electorate to be resisting the construction of this "super-state," ideally with allies, but if necessary alone. Unfortunately, there can never be any objective definition of the European "super-state" against which the British government is supposedly struggling. It is a purely evaluative term, which, if it has any communicative content between its users, simply designates a state of affairs where the speaker believes that the European Union already excessively resembles, or may come excessively to resemble, a traditional nation-state. By definition, this judgement will vary between individuals. The rejection (or even the advocacy) of a European "super-state" is a confused and confusing basis indeed on which to construct a serious European policy for the United Kingdom. The European Union already has a number of state-like characteristics and may well acquire more in time. Its (admittedly small) central budget, its directly-elected Parliament, its single currency, its independent executive, the primacy of European law, its common policies – all these are important state-like characteristics of the European Union, which unsympathetic critics can logically from their own starting-point regard as paving the way for

or even constituting a European "super-state." How many further state-like characteristics the European Union will acquire in the coming years, and how far it will deepen those state-like characteristics it already possesses, are questions of legitimate and continuing debate within the European Union. There is certainly much less willingness within today's Union to regard the European Commission as a European government in waiting, to increase the European budget substantially or to "communitarise" decision-making in foreign and defence policies. But whatever may be hypothesised about the immediate continuing appetite of the Union's current leaders to make further institutional change following the adoption of the Lisbon Treaty, there is certainly no question of their wishing to abandon the existing state-like attributes of the European Union, or of eschewing as a matter of principle the development or deepening of new state-like attributes for the Union. Any member state that wishes to continue as a member of the European Union's political mainstream must recognise this reality. It is far from clear that this reality is widely acknowledged within the political and opinion-forming classes of the United Kingdom.

Over the past decade the New Labour government has wished to depict itself as far removed from the strident and obsessive tone with which the major Opposition Party, the Conservatives, discuss European institutional questions, but has adopted in public much of the underlying analysis which the Conservative Party embraces in its approach to the European Union. Today's British government essentially agrees, at least in public, with the Conservative Party in its distrust of the European institutions, in its belief that the European Union needs radical rather than evolutionary reform, in its fear that the European Union may by its legislation threaten the domestic economic policies of the United Kingdom. The jarring message to the electorate has been that the European Union is, and to the extent that it is not should simply be,

an association of "sovereign member states." But Mr. Blair's and Mr. Brown's governments have worked with the institutions of the European Union on a day-to-day basis over the past ten years in a way obviously contradicting these public attitudes. They have continued to share national sovereignty with other member states of the Union and to collaborate with the European institutions in the legitimate exercise of their functions. Above all, the British government proves by the actual conduct of its European business its recognition that the existing rules and practices of the European Union are those freely agreed among the member states which it behoves them to apply in good faith to their dealings with each other. But this truth and the reasons behind it are only very rarely the subject of coherent exposition by leading British politicians. Equally rare is any explanation by the British government of the enormous advantages that flow from this engagement. British politicians may derive some comfort from the reflection that others elsewhere in the European Union sometimes follow their example, in denouncing "Brussels" for unwelcome decisions in which the national ministers have themselves been at least complicit. Nowhere, however, has this process of hollowing out the political and intellectual case for the European Union continued as long and intensively as it has in the United Kingdom, in which unwillingness to make a robust pro-EU case on the part of leading British politicians has been daily reinforced for fifteen years by systematic journalistic misrepresentation of all matters pertaining to the European Union.

These fifteen years of silence and misrepresentation have found their inevitable culmination in the debate that has surrounded the Lisbon Treaty in the United Kingdom. Mr. Blair allowed himself to be persuaded before the European Elections of 2004 (and with the prospect of a General Election in 2005 before him) to agree to hold a referendum on the European Constitutional Treaty, a suggestion which until then he had vigorously opposed.

He and his government were dispensed from the need to hold this referendum by the fatal blows dealt to the Constitutional Treaty in the French and Dutch referendums of 2005. Because the new Lisbon Treaty reproduces a large number of the institutional innovations contained in the Constitutional Treaty, there are many politicians and commentators in the United Kingdom who argue that a referendum on the Lisbon Treaty should also logically be held. Mr. Brown has rejected such calls for a referendum, on the ground that the Lisbon Treaty specifically disavows any claim to reflect a "constitutional concept" for the European Union and that Britain is anyway less affected by the provisions of the treaty than most other signatories. He is no doubt bolstered in this decision by the knowledge that many of those calling for a referendum really have as their unacknowledged goal the withdrawal of the United Kingdom from the European Union. Those pursuing this agenda of course recognise that if Britain alone were to reject the Treaty it would result in a massive crisis for Britain within the Union. It would be logically incumbent upon Britain in those circumstances to find a solution to the problem which it had itself created, with the unattractive dilemma being posed of either accepting the Treaty or leaving the European Union. Those whose long term goal has always been British withdrawal from the Union would naturally relish such a barbed dilemma.

At least as significant in the long term for Britain's position within the European Union as the issue of whether there will be a referendum on the Lisbon Treaty is the account which Labour ministers have sought to give of the new Treaty and in particular of its relationship to the defunct Constitutional Treaty. For the first time during Britain's membership of the European Union, this account has explicitly relied on the rhetoric of semi-detachment, stressing the view

of ministers that the United Kingdom has not taken upon itself the same rights and obligations in the Lisbon Treaty as have its partners, and that this distinction is a welcome one to the British government. Britain's isolation from the European financial mainstream through its rejection of the euro is to be paralleled by its semi-detachment from much of the Union's further institutional developments.

There is, as the British government sometimes recognises, a politically coherent case for the Lisbon Treaty as making the European Union more efficient, more effective and more democratic. But the case to which, all too often, it resorts is that of "red lines," an "end to federalism," a bulwark against the European "super-state". New Labour's supporters sometimes claim that these rhetorical tactics reassure the British electorate that the government understands their concerns and is acting in accordance with them. On this hypothesis, it is a condition of New Labour's being able to play in fact a reasonably constructive role within the European Union that in its public rhetoric it should adopt a harsh and uncompromising tone towards its European partners. In illustrating the shortcomings of this approach, it is sufficient here merely to register that after ten years in office, New Labour has apparently little confidence that it would be able to win a referendum on the Lisbon Treaty, a minimalist document demonstrably less far-reaching in its content than either the Single European Act or the Maastricht Treaty, documents signed by the Conservative governments of the day and ratified after vigorous parliamentary debate but without referendums. This suggests that, at the very least, New Labour's approach to European questions over the past ten years has not been very successful in carrying the British electorate with it. A bolder approach might well be a more successful one.

What Does Asymmetry Mean in Today's Europe?

Carolin Zwilling

The analysis of recent trends in the evolution of federalism requires us to bear in mind two fundamental aspects. Firstly, not only the 'classical' federal systems, but rather all processes of federalisation and regionalisation, including at supranational and international level, must be taken into account. Secondly, asymmetry has been "re-discovered" in federal studies to be a typical feature of all multi-level systems of government, as already pointed out in 1965 by Charles Tarlton[1] and more recently, with regard to diversity management, by Robert Agranoff[2].

In recent times, both aspects have gained growing importance and are increasingly debated[3]. New forms of political cooperation between states at the international level and a simultaneous process of decentralisation within states inspire a precise analysis of the pros and cons of asymmetrical structures. This applies to all decision-making processes at every level of government.

The limits and the opportunities of unity and disunity can thus be more effectively looked at through the lens of asymmetrical federalism. This contribution focuses especially on the advantages asymmetry offers to the EU multi-level government system.

Some conceptual issues

Federal symmetry refers to the uniformity among constituent units in their powers and procedural opportunities within a federal system. Asymmetry, consequently, occurs where a differentiation exists in the degrees of autonomy and power among the constituent units. A significant number of federal systems

allow asymmetrical constitutional and political arrangements, including Canada, the United States, India and Belgium. However, asymmetry is peculiar not only to federal but also to regionalised states, like Spain and Italy, and even to non regional states like the United Kingdom with its own devolutionary system.

Within the concept of asymmetry, the differentiation between *de facto* and *de jure* asymmetry is of fundamental importance. *De facto* asymmetry refers to the actual practices or relationships arising from the impact of cultural and socio-economic differences among constituent units within a federation. It is typical of all federations due to territorial differences. In this case, naturally-given differences are a matter of fact and not of law.

In contrast, *de jure* asymmetry implies a different legal treatment of the constituent units, meaning that asymmetry is embedded in constitutional and legal provisions. In most cases, *de jure* asymmetry refers specifically to differences in the legal status itself or in the legislative and executive powers assigned by the constitution to the diverse constituent units. Therefore, variations in territorial size, population and wealth may affect their relative power and influence. Consequently, the relative autonomy, jurisdiction and powers of units like, for instance, the number or the weighting of votes may vary. There can be a differentiated distribution of legislative and/or administrative powers with a view to addressing local needs such as, for example, the protection of minorities living in an autonomous constituent unit.

The development of asymmetrical structures mostly occurs in federations created by a devolutionary process and in unitary states undergoing decentralization processes. As the authority of the constituent units derives from the central government, asymmetry should either help moderate the degree of *de facto* asymmetry or recognize distinct groups by creating more autonomy for them. Instead, in federations created by aggregation, the differences between the member states are often accepted as given. Therefore, symmetry seems to be the key element, at least regarding the relationships between the various levels of government.

When do objective differences become legitimate sources of legally different treatment?

Looking at asymmetry from a constitutional law perspective, we should not only ask 'which purposes does asymmetry serve?', but – even more important – how is asymmetry regulated? By which procedures is asymmetry implemented? While political scientists study the impact of *de facto* asymmetry upon the operation of federal and decentralized systems, the basic question for constitutional lawyers is whether the constitution itself should *de jure* treat the various constituent units differently and, thus, through which mechanisms are these arrangements implemented[4].

In respect of the EU, the questions should therefore be: does the EU system accept a different legal treatment of the member states? If yes, which procedures and mechanisms provide for this treatment?

Successful experiences in multinational federations

Multinational federations especially feature specific forms of asymmetry. In them at least one of the component units claims particular sovereignty on linguistic, cultural, ethnic or simply historical grounds, and the federation thus ensures a sufficiently decentralised government. As a consequence, ethnic diversity and cultural-ideological differences lead to enhanced cooperation schemes and force actors to continuously seek agreements. In all policy fields impacting on language, religion, ethnicity and/or strong territorial identities as key elements, decision-making processes become more complex. Hence, multinational federations resort to various consociational arrangements, i.e. institutions and procedures that encourage consensus rather than regular majority decision-making. The most telling examples in this respect are consultative bodies as well as decision-making organs reflecting the specific linguistic, religious or cultural composition of the various population groups.

Consociational bodies and procedures are of particular importance for decision-making processes within the EU. Even though the EU is not formally a fully-fledged federation, its structures, representing unity resulting from the ongoing European integration process, resemble those of a federal union. Its unique functioning characterizes the EU as a kind of federal-type arrangement. Hence, the experiences of multinational federations are doubtless applicable and serve as a good preparation for dealing with the intensifying problems of a growing EU.

Different legal treatment in the EU

One of the most remarkable examples of the different legal treatment is the negotiation process for accession between the EU and each candidate country. Nevertheless, even after accession to the Union different treatment may continue. Although particular concessions may only be granted to some of the member states, the culture of consensus-building is the fundamental characteristic of the EU system. European decision-making processes show several characteristics of consensus democracy and are, consequently, also based upon mechanisms and procedures that are typical of federal systems characterized by *de jure* asymmetry. Various institutional arrangements

supporting the consensus processes have indeed become fundamental elements of the EU system.

It should suffice to draw attention on some striking examples of these differential procedures within the EU legal system, both enshrined in primary law and provided for in new 'soft law' governance methods.

'Hard law' instruments
Both general and policy-field related instruments allowing for differentiation support consensus-building among member states. States willing to cooperate more closely with other member States can make use of the general instrument of 'enhanced cooperation'. On the basis of a clear set of preconditions, rules and procedures (art. 43, 43a, 43b, 44, 44a, 45 TEC) they can cooperate to further the objectives of the Community, but only in areas which are not of exclusive competence of the Community. Until now, this instrument has not gained great significance in practice. But in theory, liberalized rules for enhanced cooperation could serve as an effective tool to increase the capacity for political action regardless of diverging national interests and preferences[5].

The most striking example of a policy field related procedure for differentiation is the European Monetary Union. On the basis of an opt-out Protocol as Treaty annex negotiated by the United Kingdom, the United Kingdom and Denmark obtained special derogations in the Maastricht Treaty and are therefore not legally obliged to join the 'Eurozone' unless their governments decide otherwise. Sweden has also not accepted the Euro and still uses its own currency.

It is also worth mentioning the instrument of 'constructive abstention' that allows each member state to abstain from voting in the field of Common Foreign and Security Policy in the Council. The member state in question is then not required to implement the decision, though it accepts that the decision adopted by all the other member states is binding for the EU as a whole. Recently, a generalized possibility of constructive abstention has been called for. Accordingly, individual member states could opt out of a common policy instead of blocking the whole process by their negative vote. If given the choice, the dissenting government might prefer to allow the majority to continue, thus furthering the consensus building.

'Soft law' governance methods
Tensions in sensitive policy fields have led to the introduction of an increasing number of alternative methods of policy coordination and governance. Therefore, the so-called 'soft law' and new governance methods have gained enormous importance. Whereas hard law measures, i.e. all law-making procedures that arise from the treaties, would generally require unanimity by all 27 member states, the soft law mechanisms are perceived as a less intrusive method of coordination and consensus-building because they lack features such as obligation, uniformity, judicial enforceability or sanctions. Being just rules of conduct, in principle, they have no legally-binding force but nevertheless they may have practical effects. In particular, the 'Open Method of Coordination', applying principles like participation, diversity and decentralization, flexibility and multi-level integration, is of growing importance. First applied in the European Employment Strategy in 2000, it has since spread into a number of EU policy fields, including social inclusion, pensions, health care, education and training, and immigration and asylum. OMC was designed to help member states to progressively develop their own (regional) policies by first agreeing on a European level.

These governance methods implement the different legal treatment by legally permitting each member state to develop a tailored solution to its specific problems. To facilitate consensus processes in complex, politically sensitive issues,

soft law offers each member state the possibility to find suitable interpretations and the desired results at its own pace. At the same time, these methods offer a platform for communication and exchange of experience between member states that share and build knowledge.

Asymmetry: a successful tool for diversity management instruments?

The development of constitutional and political asymmetry has proved to be a viable instrument for accommodating major differences between constituent units within federal systems as well as between EU member states. The different legal treatment, through several consensus-building mechanisms, has successfully combined coherence with respect for diversity. This entails using differing political methods depending on the policy fields. Therefore, various methods have been worked out which are placed between pure integration and harmonisation at one extreme and straightforward co-operation at the other. This might be realized thanks to political and legal creativity that always form the preconditions for transforming *de facto* differences into *de jure* asymmetry.

Asymmetrical structures as such cannot offer the solution either for the national or for the supranational level. Only their implementation by means of procedures, mechanisms and diversity management instruments help solve the specific problems arising in each single case. Asymmetry is not for giving answers but simply for shedding light on a grey zone.

In the European context this means avoiding classical structures with traditional procedures and mainly adopting methods arising from the experiences of asymmetrical systems. Within the complex multi-level government structure of the EU, it is not possible to achieve results that satisfactorily apply only one procedure or one instrument for the settlement of all kinds of diversity. *De jure* asymmetry offers a wide variety of instruments and institutional flexibility. Every single policy field is characterized by special needs and therefore special answers have to be offered. The recent developments over the last two decades show that asymmetry has led to a higher degree of diversity and is fulfilling the function of being a means of integration instead of disintegration.

[1] Charles D. Tarlton, *Symmetry and Asymmetry as Elements of Federalism. A Theoretical Speculation*, in *Journal of Politics*, 1965, no. 27, pp. 861-874

[2] Robert Agranoff (ed.), *Accommodating Diversity: Asymmetry in Federal States*, Baden-Baden, Nomos, 1999

[3] C.f. Michael Burgess, *Comparative Federalism: Theory and Practice*, London, Routledge, 2006, chapter 8, pp. 209-225

[4] Ronald L. Watts, *Asymmetrical Decentralization: Functional or Dysfunctional, in Indian Journal of Federal Studies* 1/2004, http://www.jamiahamdard.edu/cfs/jour4-1_1.htm

[5] Fritz W. Scharpf, *Problem Solving Effectiveness and Democratic Accountability in the EU,* in *Institute of Advanced Studies Political Science Series*, 2006, No. 107, http://aei.pitt.edu/6097/01/pw_107.pdf

The Federalist Flag, the Battle-Flag for Europe

David Soldini

It was probably Duncan Sandys, a British conservative, Churchill's son-in-law, who had been given the task to develop the European Movement in Great Britain, who proposed for the first time the flag with a big E as the symbol of European unity. The irony of history made it so that the inventor of the flag of the political struggle for European unity is an Englishman.

The first flag of the European unity
The flag, a big red E against a white background, appeared for the first time in 1948, at the Congress in The Hague. The Congress gathered all the pro-European and federalist organizations, and led, in particular, to the creation of the European Movement, grouping together all the pro-European organizations. But on that occasion the first divisions appeared between unionists and federalists: the former being satisfied with a simple union of States, the latter aiming to create a true European Federation.

At the first European Movement's congress in Strasbourg, in September 1948, the leaders of the new movement decided to adopt the green color instead of the red. The green E was the symbol of hope for European unity and peace, which all European peoples were longing for.

A flag for all Europeans?
However that flag was bound never to become the Union's institutional flag. In fact, in 1986 the starred flag was chosen to represent the European Union. The flag with the green E had to remain the flag of the pro-European

militants. Altered in many ways, it is still used today by many European organizations, but there is no doubt that it is the federalists who contribute most to keep it alive, together with the project it represents.

The flag of a political project
In fact, the green E stands for much more than the mere idea of European unity. It is today the symbol of the political struggle in favor of the federal union of the continent. It is not an alternative flag to the Union's, but a complementary flag. The starred flag represents the Union as it is, that is, the European institutions and the idea of European citizenship. The green E represents the Union as it should be for the partisans of Europe and, even more so, for the partisans of a federal Europe. It is for this deeply-felt reason that we shall not let that flag disappear. That we, on the contrary, shall continue to use it and make it better known.

It represents what is not yet achieved today, but remains anyway necessary. It is the symbol of what is still to be accomplished for building the Europe we all need: a democratic and efficient Europe, a Europe capable of acting in the world and adquately coping with the challenges of the 21st century, a Europe capable of defending and promoting beyond its frontiers the values of peace, humanism and progress, which constitute the common heritage of all European citizens.

It is the flag that the federalist militants hoisted in front of the border check-points immediately after the war, that was used in

the 1970s in calling for the direct election of the European Parliament, that was waved by more than 100,000 demonstrators in Milan in June 1985 to support the draft Treaty for the European Parliament (better known as the Spinelli Treaty), the same that was also displayed by tens of thousands of citizens calling for a Constitution for Europe at the Nice Summit in 2000.

It is therefore a flag signifying struggle. A flag symbolizing the Europeans' and federalists' fight against nationalism and the division of mankind, but also against all those who, although accepting the idea of the necessary unity of the continent, refuse to draw the self-evident consequences. It represents the European dream of unity, peace and progress. In that sense, its significance goes beyond Europe's borders, it is universal like the project it is a symbol of.

The European Integration: A Model for Africa?

Elena Montani

The elected representatives of the European and African people have stressed the importance of supra-national integration for ACP countries, drawing on the experience of the European integration process.

The EU-ACP Joint Parliamentary Assembly was created in the framework of the Lomé Conventions, which replaced the Yaoundé Agreements between the European Economic Community and the former colonies of its Member States in the '70s. The initial name 'Consultative Assembly' has been replaced in recent years by the current denomination – Joint *Parliamentary* Assembly – modified in order to stress the parliamentary character of the assembly. In fact, the JPA is currently composed of 78 Members of the European Parliament and 78 representatives of the ACP States who – according to the Cotonou Agreement – must be members of their parliaments. Still mainly a consultative body, the JPA is however gaining more and more importance, and remains the only institution of this kind in the world, bringing together elected representatives of citizens from two continents within an institutionalised, regular framework.

At its last meeting held in Ljubljana from 17 to 20 March, the JPA adopted a resolution "on experiences from the European regional integration process relevant to ACP countries"[1]. The resolution is very outspoken in giving an answer to the question we laid in the title: "no model of regional integration can be laid down since any integration strategy has to be adapted to particular interests and circumstances".

Obviously, Africa cannot – and shall not – follow the same path adopted by the Europeans for the creation of an ever closer community. It is a different region, with different characteristics, a different history, different cultures. The most advanced African sub-regional integration processes (like ECOWAS and EAC) already show their own faces and characteristics, which can even "be instructive and deliver new insights for the EU itself"[2].

Nevertheless, the main dynamics at the root of the EU, undeniably the most advanced and successful example of economic and political integration among nation-states, are a fundamental inheritance for other integration processes in the rest of world, especially for a continent whose path is historically and geographically intertwined with Europe. Three aspects, mentioned in the Resolution, are particularly worth mentioning for their relevance on integration in Africa. First, peace has been the major achievement of European integration, thanks to a framework where conflicts could be solved in a peaceful way, and to an ever closer union between peoples also through education and exchanges. Second, European integration has not been based on a purely liberal model, but on a political project, which has complemented the objective of economic development with the goals of sustainable development, democracy, defence of human rights. In this sense, solidarity between countries and societies has been a key recipe for the success of European integration, which has greatly bridged the gap between richer and poorer regions, thus showing that a similar level of development

and prosperity among states is not a necessary pre-condition for regional integration. Third, the European example shows the importance of strong common institutions, representing regional rather than national interests, although the defence and mutual respect of national differences must be ensured. The Resolution stresses, in particular, the need for strengthening the parliamentary institutions of regional organisations, as the only way of providing legitimacy to supra-national bodies and securing their stability.

While neglected by the media, a resolution such as this one shall not be underestimated, especially for its symbolic and political might. In a continent like Africa, regional integration might be considered a 'luxury' which does not deserve to be on the agenda yet, compared to more urgent problems such as peace and economic development. On the contrary, regional organisations are developing quickly all over the region and are acquiring an increasing weight. The Resolution stresses the fact that the joint exercise of sovereignty at a supra-national level is not a loss of sovereignty for the member-states, but rather "may lead to an enhanced capacity of governments to protect the interests of their citizens"[3].

The European experience is showing that the old assumption according to which "we should solve our own problems at home, and then take care of bigger, regional issues" can be reversed. Supra-national integration is rather an urgent necessity in regions devastated by chronicle problems such as extreme poverty and conflicts. This is even more manifest today, as globalisation urges African states to join forces in order to overcome problems which – although global in their dimension – have direct catastrophic consequences on the everyday life of the African people, who suffer more and more the effects of climate change, war on terrorism, increased trade competition of emerging powers, higher price of food supplies. The African Nobel Peace Prize, Desmond Tutu, during the European Development Days in 2006 said, while describing the great achievements of the African continent throughout history and the big contributions Africa and Africans have given to the entire world: "*There is no way in which we can be free, except together*".

[1] ACP-EU/100.203/08/fin.
[2] *Ibid.*
[3] *Ibid.*

UNPA-Campaign Representatives Visit Pan-African Parliament

From 5th to 9th May 2008, a delegation of the Secretariat of the Campaign for the Establishment of a United Nations Parliamentary Assembly visited the Pan-African Parliament (PAP) in Midrand, South Africa, on the occasion of its 9th session. In its last session in October 2007, the parliamentary body of the African Union adopted a resolution urging its administration to take "the initiative to achieve the establishment of a consultative United Nations Parliamentary Assembly within the UN system". In its consultations with PAP officials and PAP members from over 10 countries, the UNPA-Campaign delegation has raised the question of how it could assist in this process. The visit was concluded on 9th May with a meeting with PAP President Dr. Gertrude Mongella, UNPA-Campaign Secretariat leader Andreas Bummel and Hon. Mokshanand Dowarkasing MP (*a.b.*).

Green World Congress Calls for Elected UN Body

The outcome statement of the second Global Greens Congress adopted on 4th May, 2008 in Sao Paulo has called for "the establishment of a UN Parliamentary Assembly" as one step to overcome the "international democratic deficit." "In the face of global challenges such as climate change, it is pretty clear that we need much more effective international decision-making. This requires that the world's citizens are better included in international institutions. Hence the proposal for a body composed of elected representatives," said Senator Isabelle Durant, Secretary General of the Belgian party Ecolo, in Brazil. The congress assembled representatives of green parties and movements from over 80 countries.

The leader of the Green Party of Canada, Elizabeth May, commented in Sao Paulo that "governments mainly care about advancing their national interests. By contrast, a UN Parliamentary Assembly could help to promote the global common interest." "The resolution adopted by the Congress underlines that the green movement is convinced that a dialogue is needed on the notion of a bicameral system at the UN", May added.

The Global Greens are the third major international party network to endorse the proposal of a UN Parliamentary Assembly, following the Liberal International and the Socialist International.

The support of the Global Greens adds momentum to an international campaign for the establishment of a UN Parliamentary Assembly which was launched in April 2007. The campaign is backed by more than 450 members of Parliament and over 100 non-governmental organizations from around the world.

The Twilight of the Nation State

Ernesto Gallo

Prem Shankar Jha
The Twilight of the Nation State: Globalisa-tion, Chaos and War
London, Pluto Press, 2007

An impressive book. Prem Shankar Jha is a well-known Indian journalist and economist, with academic experience in three continents, Asia, America and Europe. In this massive volume (374 pages) he sketches out an ambitious macrohistorical sociology of capitalism and the state, by drawing on authors as diverse as Marx and Braudel, Schumpeter and Polanyi. He also provides a detailed empirical analysis of the world economy of the last three decades. Furthermore, he relies on two giant social scientists, Eric J. Hobsbawm and Giovanni Arrighi, whose main publications have respectively been devoted to 'the short' and 'the long' twentieth century. How to reconcile them?

Hobsbawm, an engaged Marxist historian, has expressed a deeply pessimistic opinion about the fate of modern ideologies and the future of the capitalist system. In his view, despite the apparent neoliberal victory, capitalism is undergoing a phase of increasing chaos and demise. A phase whose roots can be traced back to the early 1970s. Arrighi, on the other hand, has proposed a long-term history of 'cycles of accumulation', each of them driven by a new hegemonic power. After the rise and fall of such hegemonic powers as Genoa, the Netherlands and Britain, the 1970s have heralded the early symptoms of the decline of

the fourth world leader, the United States, and the onset of a period of 'systemic chaos' which would end with the domination of a fifth hegemonic power, possibly Japan or another East Asian country.

Is Arrighi right? To some degree. Certainly his theoretically-informed reconstruction of centuries of economic history is an excellent starting-point. Certainly the early 1970s unveiled the signs of crucial transformations. But it is not just about the demise of a hegemonic power and the surge of the following one. A qualitative turn has occurred: the rise of 'global capitalism'. Jha challenges several interpretations which are common in the mainstream economic literature. The 'end of the golden age' is no by-product of factors such as oil shocks, crises in productivity or transformations in the relations of production. The core element which explains the onset of turbulences and chaos has to be found in the genesis of truly global production processes, which bring about de-localizations, breakdown of the welfare system in the 'developed' world and disruptions in the newly-developing 'peripheries'. Such process has so far entailed painful consequences in terms of continuous marginalization, exclusion and deprivation in both the rich and poor regions of the world. Jha follows a clear-cut theoretical hypothesis and provides a substantial amount of data to support it. So far we have, however, a thorough economic history; but what about politics? What about the states?

Global capital requires a military arm. More precisely, a power capable of breaking down boundaries and imposing liberal institutions and the free market, either by consent or by force. Such a role so far has been played by the USA, and in a distinctively imperial fashion. This holds true as far as both Democratic and Republican presidencies are concerned. Though Bush Jr and his fellows have probably gone much beyond any sustainable hegemony, the seeds of the empire can be traced back

to Clinton's administration. How to explain otherwise the sequence of tragical military undertakings, especially in Iraq and the Balkans? How to read otherwise several declarations by Democratic officers, such as Madeleine Albright and Anthony Lake, who are still playing a role in Washington's big game? Furthermore, Jha does not subscribe to Hardt and Negri's understanding of empire. Instead of a blurred overarching constellation of corporations, international organizations, agonizing nation-states and would-be global rulers (America), he prefers referring to the 'empire'as the political and military arm of what he appropriately labels 'globalization'. Despite their different interpretations of what the 'empire' actually is, Hardt, Negri and Jha share the analysis of the crisis of nation-states and of the strains put on them by the dominance of transnational productive forces.

In political terms, Jha concludes by calling for 'a commonwealth' to deal with global concerns and provide a minimum framework to address the tragical inequalities which are currently shaking the world order. In his view, such commonwealth is needed urgently, in order to tackle the American bid for world primacy and offer the US itself a channel through which to express its interests. To this goal, the current redistribution of world power towards multipolarism (especially in the light of the rise of the Asian powers) seems to offer a possible framework. The 'global commonwealth' should be based on consent – so, according to such perspective Jha comes close to a federalist interpretation.

From a scientific viewpoint, one might object that his combination of different approaches is not always consistent. Cyclical theories are usually rather mechanistic, and the interplay between 'the economic' and 'the political' in 'the long twentieth century' is far from being clear. An interpretation of capitalism based on the modes of production and their inherent social relations could be heuristically more

fruitful. The most interesting legacy of Braudel and Arrighi's thought is, however, the idea of a 'container': that is, capitalistic relations are embedded in political institutions which contain them, serve their purposes and change over time according to the changing size of the markets. The most appropriate 'container' of global capitalism must therefore be a 'global polity', like the commonwealth he is referring to in the last chapter. Such an interesting idea could, though, be developed further, to both scientific and political aims. In other words, Jha comes close to a kind of federalist vision, but does not work it out extensively.

Why is Jha's thick volume a worthwhile reading? Among many reasons, we can single out this one: it's a challenging book. Challenging because, instead of providing simplistic and fashionable hypotheses (such as the ones by Fukuyama and Huntington, which he briefly discusses), he tries to combine various perspectives, draw on their insights and build a coherent construction. Many passages would deserve deeper investigation, but a kind of overall theory clearly emerges. Global capitalism, the rise of the US Leviathan and the lack of overarching world institutions are the main aspects of the planet we are living in. Furthermore, Jha's book is topical. 2008 is an important year. The USA and Russia choose their new presidents, while the European countries have to ratify the Reform Treaty. Are the incoming younger leaders, from Hillary Clinton to Obama, from Medvedev to Sarkozy himself, really aware of the turbulences which the world might soon face? A final remark. In Jha's account Europe's role is rather overlooked. Western scholarship has long been charged with 'Eurocentrism' – and with very good reasons. However, Europe is not only composed of decaying nation-states or greedy corporations. A transnational polity of decent European citizens is slowly emerging and looking for political solutions other than the states we have been used to live in. Disregarding it would be a mistake and possibly a real shame.

Silvio Trentin, a European in the Resistance

Jean-Pierre Gouzy

Paul Arrighi has brilliantly presented his doctoral thesis[1] on the engrossing biography of a man who preferred to emigrate from Italy to Gascony in 1926, rather than bend to the codes of good behaviour dictated by the regime of Mussolini in his native country.

As it is very well expressed on the publisher's jacket on the back of the book, Silvio Trentin "was one of those personalities who know how to combine thought and action… A lawyer, politician, fighter, European, he was all that at the same time". He settled at first in Toulouse, where he became a bookseller, and closely watched the various turns taken by the Spanish Civil War which bathed neighbouring Spain in blood from July 1st, 1936 to April 1st, 1939. In fact, it was in Toulouse that the Second World War caught up with him, followed by the invasion of France by the armies of Hitler, the armistice, which came into effect on June 25th, 1940, the creation of the Southern Zone, and then the French State ("*l'Etat français*") after the recourse to Maréchal Petain to assume the functions of Chief of the State at Vichy; then, later, the occupation of the Southern Zone by German and Italian forces following the Anglo-American landings in North Africa on November 8th, 1942. Silvio Trentin created in the Ville Rose (Toulouse) one of the Resistance movements whose aim was "the re-conquest of liberty in the South of France", before returning to Italy where he fought his last fight. He was arrested by the fascist militia in November, but was soon released due to his rapidly deteriorating health.

Sent to hospital, he died near Treviso on March 12th, 1944, aged 59. He had left France in April 1943. So, he lived the last hours of fascism in his native country: Mussolini was arrested on the 12th of July 1943, but the Duce was rescued on September 12th by Captain S.S. Skorzeny at the head of a commando; Mussolini then founded his "Social Republic" on the shores of Lake Garda, then the royal government of Italy (which had taken refuge at Brindisi) declared war on the Third Reich, etc. However, Trentin died before the summary execution of Benito Mussolini and his mistress Clara Petacci, whose bodies were exposed on April 29th, 1945, in Piazzale Loreto in Milan.

As written by Remy Pech, a University professor holding the Jean Monnet chair, in the preface to this major work: "Paul Arrighi, with all the precision of an accomplished historian, recounts this brilliant destiny, and finely analyzes the thought of a man who never ceased to mature in the fire of tragic events, finally to evolve from democratic liberalism towards libertarian positions devoid of any sectarianism. All this was enough to motivate his interest for this noble figure, honoured in Toulouse, but whose strength and freedom in his commitment are sometimes little known". Which is, alas, but too true!

Silvio Trentin, "deeply influenced by the lessons of humanism and the philosophical idealism of Kant and Benedetto Croce", as told by his biographer, was elected deputy for Venice in 1919 under the banner of a centre-left party (Social-Democracy) until November 1920. It was at the beginning of the twenties that he took part in important political events, during which he met first-rank Italian personalities, such as Count Sforza, Francesco Nitti, Benedetto Croce, Luigi Einaudi, Giovanni Amendola, Ivanoe Bonomi, all of them opposed to Mussolini.

When he could no longer bear the degradation of the Italian political climate after the establishment of the dictatorship of the "Prime Minister of Italy and Guide of Fascism", in 1925

Silvio Trentin made up his mind and left his country. Paul Arrighi carefully describes what was the life of this exile, always passionate about political struggle, in Pavia, Auch and Toulouse, in the double context of the *League of Human Rights* and the community formed by the Italians living in the Pyrenean South.

"Silvio Trentin", Paul Arrighi observes, "was passionately involved in the heated debates which were taking place, from 1932 on, in the review "*Quaderni di Giustizia e Libertà*" (Notebooks of Justice and Liberty), which received contributions by prestigious figures, among whom Aldo Garosci, with whom I had the privilege to be personally well-acquainted as one of the leaders of the UEF (European Union of Federalists), and by the *Movimento Federalista Europeo*, advocating the fight of Altiero Spinelli for the European Federation". But Arrighi also tells us that in 1932 the themes chosen by *Giustizia e Libertà* were those of decentralization and federalism, together with the appreciation of the contribution that federalism had given to the nature and function of the *Risorgimento* in Italian history.

In 1934 Trentin was managing a bookshop in Toulouse, 46 rue du Canguedoc, which became a leading cultural centre ("*foyer culturel d'avant garde*"), an "oasis of Italian patriotism" at the heart of "an Occitanian environment". As the Spanish civil war broke out, it obviously became a great cause of agitation and argument. Several times Trentin went to Catalonia.

His activities and commitments drew the attention of the French *Sûreté* and of the officials of the Italian General Consulate. Italy's declaration of war against France, when it was already on its knees after the victorious offensive of the Wehrmacht, and the armistice that followed were very painful events for him. In fact, Trentin himself became the leader of the Resistance movement "*Libérer et Fédérer*", of which Paul Arrighi retraces the history. I quote: "In the article entitled "Our programme

of action", at point 5 (g), proposals for an "Organization of the Federal Order" are made. This organization advocates "a direct election by the workers of both sexes (…) of the enterprise committee (…) and by farmers of the councils of farmers. These committees will be federated by branches of activity and then on a communal, departmental, regional and national plan in connection with a representation of the people established on the basis of local suffrage". Furthermore, this "advisory" organization, which is inspired by the ideas of both Pierre-Joseph Proudhon and Rosa Luxembourg, does not content itself with advocating what Norberto Bobbio will define as "internal federalism", but leads to the will to realize the United States of Europe. In fact, "the revolutionary government will finally prepare, in collaboration with the other countries liberated from Nazism, the bases of a European federation founded on freedom, peace and democracy". Indeed, Silvio Trentin was an "awakener of conscience"; "an intellectual leader respected for the steadiness of his convictions" and the "promoter" of a programme which no doubt had a genuine influence on the "*Comunità*" movement created after the war by Adriano Olivetti in Italy.

In his book Paul Arrighi – in particular in pages 330-332 – quotes texts which are attributed to Silvio Trentin, which leave no doubt about his federalist orientation, as opposed to "Jacobin, centralist democracy" and even more so to the "democratic centralism of the Soviets".

Consequently, we understand why Trentin's departure for Italy in August 1943 "left orphaned a movement which the circumstances had not allowed to develop and to sufficiently structure the doctrinal teaching and training of its militants".

Trentin, indeed, was a radical liberal when he left Italy in 1926, but now the militant, tried and tested by a lifetime of fighting, had developed a doctrine which promoted a double revolution, socialist and federalist.

Paul Arrighi devotes the last three chapters of his book first to this "philosophical and cultural evolution of Silvio Trentin", and, there, to the analysis "of the crisis of liberalism and fascism, which he denounces as "totalitarian", and finally to "federalism" and its perspectives.

The philosophical and cultural evolution deserves special attention, whether it may be Trentin's relation with free-masonry or his books (nineteen works, among which "The Crisis of Law and the State"[2], where his libertarian trend begins to take shape).

Paul Arrighi equally underlines the "influence of Pierre Joseph Proudhon's thought on Silvio Trentin". This influence is said to be "decisive and openly recognized" by the author, "even if he criticizes some of those theses and contradictions".

It would be interesting and profitable to read the remarks on "the influence of George Gurvitch on the public's knowledge of Proudhon" and on the twofold theory of federalism (internal and external).

The role of the "*Italian pro-Europe militants for the United States of Europe*" is given a large place, "in order to put Silvio Trentin's thought into its Italian context", with Carlo Cattaneo, Luigi Einaudi, Francesco Saverio Nitti, Carlo Sforza. But Paul Arrighi sheds light on the French side also, when he writes that Silvio Trentin had read and had been influenced by various non-conformists, among whom Bertrand de Jouvenel and other anti-authority intellectuals such as Robert Aron and Arnaud Dandieu, the founders of the review "The New Order" (*L'Ordre Nouveau*) which was published between 1933 and 1938. Just one remark in passing. Why is not the name of Alexandre Marc mentioned when speaking of *L'Ordre Nouveau*, when the authors of "*The American Cancer*" are quoted three times?

Another point which draws our attention, of course: the fact that the *Manifesto of Ventotene*, written "*in confino*" by Altiero Spinelli, Ernesto Rossi and Eugenio Colorni, was dedicated and sent to Silvio Trentin, which confirms the part played by Ursula Hirschmann and the militants of "*Giustizia e Libertà*"; as well as another major fact – a clandestine network of the Swiss Renè Bertholet, connected with the director of the OSS, Allen Dulles, who lived in Bern from 1942 to 1945. In this way, "it was Silvio Trentin who made it known to the French Resistance".

After closing Paul Arrighi's book many questions came to my mind: for example, he recalls "the attempt to create the *Mouvement National Revolutionnaire* (MNR) after the collapse of June 1940. In my opinion, the MNR was not just an "attempt", it did exist as a Movement of Resistance. If it is the same group as the one I have in mind, it gave birth after the end of the war and the German occupation to the "Socialist and Federalist Circles"[3].

Another example is when Paul Arrighi recalls Robert Aron, who was one of the editors of the periodical "*La Republique Moderne*", but later joined two prestigious former contributors of *L'Ordre Nouveau* at the end of World War Two in the *Fédération* movement: Alexandre Marc and Denis de Rougemont. These movements referred to "internal federalism". Finally, I note elsewhere the name of Gaston Riou, the author of "*Europe ma patrie*" (1928) and "*S'unir ou mourir*" (Unite or Die) (1929). This advocate of Europe, born in Ardeche, a champion of federalism in the days of Briand, reappeared after the war in the "French Union of Federalists", together with the two federalist movements mentioned above, which advocated internal federalism, but he belonged to the "radical"[4] tradition and was essentially interested in the "external" version of federalism, going back to Hamilton's tradition.

The period just after the war was propitious for vast intellectual ferment. It was a time when the word "revolutionary" was thriving and fashionable, the notion of "plan" was

tremendously in vogue, the plans to reform enterprises were everywhere (in France it went from the "proportional salary" of Eugene Schneller to the experiments in communitarian enterprises of Marcel Barbu, which anticipated Yugoslavian self-management!)

But I must end my reflection, which might turn into many digressions. What is essential is to be found elsewhere; it is in the quality of Paul Arrighi's work, which not only fills an historical gap but can be appreciated, among other qualities it has, as a contribution of exceptional interest to the illustration and appreciation of today's federalist thought.

[1] Paul Arrighi, *Silvio Trentin, un combat politique en Vénétie, en Gascogne et dans le Midi Toulousain : du début de son opposition au fascisme à son retour en Italie (1921-1943)*, Thèse de doctorat d'histoire; sous la direction de Rémy Pech, Université de Toulouse-Le-Mirail, 2005
[2] In French "*La crise du droit et de l'état*"
[3] *Cercles Socialistes et Fédéralistes (Pour une Republique Moderne et Pour les Etats Unis d'Europe)*
[4] "Radical" was the name of an old French party, slightly left-of-centre.

International Order in a Globalizing World

René Wadlow

Yannis A. Stivachtis (Ed.)
International Order in a Globalizing World
Aldershot, Ashgate Publishing, 2007

The aims of this useful book are set out clearly by the editor: "The purpose of this volume is to address the question of international order in a globalizing world by examining how major international actors seek to respond to major challenges and perceived threats coming from their external environment." The concept of order refers to an arrangement of social life that promotes certain goals, values, and the acceptable means to reach those goals. As the editor outlines "All societies seek to ensure that life will be in some measure secure against violence resulting in death or bodily harm. Second, all societies seek to ensure that promises, once made, will be kept, or that agreements, once undertaken, will be carried out. Third, all societies pursue the goal of ensuring that the possession of things will remain stable to some degree, and will not be subject to challenges that are constant and without limit."

In order to reach these goals there must be some universally-accepted values, institutions and practices. At one time, the State was the central focus for articulating common values (the American Way of Life or the Mandate from Heaven in China) and the State provided institutions accepted by most for providing a prohibition of unauthorized violence, protection of individual property and the validity of contracts. Much current international law is still based on the idea that the individual State maintains its area free of violence and its courts will uphold most contracts signed among individuals.

However in a globalizing world, the State is no longer able to "make, communicate, administer, interpret, enforce, legitimize and change or adapt the rules to changing circumstances." As Sai Hensel points out "Globalization has caused us to confront the fundamental assumptions about boundaries, space and time that inform our perspective of the international system. It is challenging to speak of an international order in such an environment and to portray it accurately."

There are more and more 'failed States' where few or no State institutions exist. Somalia is an example of the fading away

of the State with only pre-State, clanic structures existing. The tribal areas along the Afghan-Pakistan frontier are another example of areas outside State control and where pre-State tribal structures of authority are somewhat in place but are unable to prevent violence. Parts of Iraq are reverting to pre-State tribal structures, but they are unable to prevent violence or to ensure the validity of business contracts.

On another level, many disputes concerning commercial contracts and commercial promises are considered not in State courts but by Chambers of Commerce or commercial arbitration. Only if such commercial arbitration is not honoured by a party do cases go to State courts. Increasingly lawyers work to settle conflicts 'out of court' as State courts are slow and not always considered fair.

Thus, today, it is no longer the State which sets out the values and norms of the international society nor does the State set out the methods by which these values are maintained. Although we do not yet have the 'withering away of the State' for the reasons that Marxists once predicted, the halls of government are fast becoming like the castles of the Middle Ages – buildings that are worth preserving as reminders of the past but no longer a real seat of authority.

Today, States are no longer able to set out values and guidelines to meet these values. 'Getting rich is glorious' was set out as a goal by the Chinese leadership, and a good many government leaders have shown by their example that money should be a chief goal in life. Nevertheless, they have more difficulty setting out the acceptable limits

to wealth gathering. Thus today, the 'grey' and 'black' economy of gun-running, drugs and trafficking of persons are a profitable segment of international trade, and the practitioners set their own limits and settle their own disputes without turning to the State.

Likewise the values of the world society are set by a slow accumulation process of ideas put forth by religious leaders and organizations, by film makers, by popular culture and the internet. There is no clear picture of how these values are articulated, cultivated and affirmed. However, a world civilization is slowly coming into place. There are two books on world values that can be usefully read: Barry Buzan's *From International to World Society*? (Cambridge, Cambridge University Press, 2004) and W. Warren Wagar's *Building the City of Man: Outlines of a World Civilization* (San Francisco, W.H. Freeman, 1971).

The debate on the new world order has coalesced primarily around two perspectives, one proclaiming the continued relevance of the State and multi-State institutions such as the United Nations, NATO, and the European Union and the other proclaiming that a world civil society is the wave of the future. Personally, I am in the civil society camp, and I think that the main question today is how one structures the voices of civil society outside State structures such as parliaments which in the past were to represent the views of the people. But whatever one's position, this collection of essays is a useful overview of the issues we need to analyse if we want to understand better the challenges of a globalizing world society.

Hans Köchler

Chairman of the Department of Philosophy at the University of Innsbruck, Austria, and President of the International Progress Organization, Austria

Interview by *Giovanni Finizio*

Prof. Köchler, the focus of your research is, among other fields, democracy. What is the state of democracy today?

I think the most important issue is whether globalization is compatible with the principles of democracy. In the globalized world more and more decisions are made by non-state actors like, for example, transnational corporations that lack democratic legitimacy, and that are only bound by their economic interests: in such conditions, the governments and the parliaments especially of smaller countries have no chance to influence those decisions which are important for the future of the people in their respective countries. What I mean is that we are facing a worldwide erosion of the democratic process because decisions are made by actors who effectively operate outside the jurisdiction of the nation-states. Very often, governments or parliaments just implement decisions which have already been made somewhere else. Globalization, thus, is creating impediments to democratic decision-making also at the domestic level.

You said "smaller states". Does the erosion of the democratic process involve only small countries? Is the United States, for example, affected by this problem?

This process of erosion has a lesser impact on the United States because this country is as big as an entire continent, so in a certain sense, if it decides to retreat from the world economy to preserve its future, it can survive without much interconnection. Nevertheless, that country's economic corporations have already opted

for globalization, so even the United States is facing a great question: should mechanisms of direct participation of the citizens of every country in an international forum be created that could constitute a kind of counter-force? I think it should be possible that the citizens of nation-states participate in elections for a worldwide assembly, a procedure which can circumvent, in a certain sense, those particular economic interests. That is admittedly a rather ambitious project, a long-term project, but I think that we should look at the model of the European Parliament in order to establish a kind of World Parliamentary Assembly.

This is not a recent proposal. The main problem is represented by strategy. How could you reach this goal?

Many propose an inter-governmental treaty, but I am doubtful about it, because if we proceed along this level, we would initially have only a rather small number of states creating a parliamentary assembly which would not be worldwide. It would antagonize the other existing structures, particularly the United Nations, which through its General Assembly may claim to be somehow the parliament of the world.

As an alternative, there is the possibility for the General Assembly to create subsidiary organs (Art. 22 of the Charter), and through this way it is possible to establish a world parliament, but the question is: do these organs make any real difference if the General Assembly itself doesn't have any real competence? Maybe it could represent a first step towards the final goal of

having a world parliament for a certain period of time until the moment when a genuine world assembly can be created. It should be a separate organ of the United Nations and this naturally would require an amendment to the UN Charter, which is not imaginable for the time being.

One of your deepest concerns about democracy, in Austria like elsewhere, is represented by the distance between representatives and represented people, that is why you propose the strengthening of instruments like direct democracy, i.e. decisions by referendum. The establishment of a world parliament, if on the one hand can globalize democracy, on the other hand can strongly amplify this problem. How to avoid this risk?

What will be crucial, in that regard, is the modus by which the delegates of this Parliament are elected and the legal definition of their mandate. Elections should be held on the basis of lists of individual candidates (not of "party lists") and each deputy should exercise his/her mandate in close consultation with the electorate of the respective region. Furthermore, on central issues of global security (such as disarmament) regional *referenda* may be considered that are binding for the respective delegates and that constitute a kind of corrective of representative democracy, something which is highly necessary in such a global context.

What competences should be exercised by a world parliament?

A "world parliament" should draft the guiding principles of international relations particularly in those areas which are most important for the *bonum commune* of the "international community," e.g. security policy, nuclear disarmament strategies, environmental standards, etc.

The United Nations at the moment is ignored by the hegemonic power and its reform, apart from marginal improvements, doesn't get out of the impasse. The institution seems to be in a crisis

without precedents. What do you see in the future of the United Nations?

At the present time I do not see the possibility of a statutory reform of the UN Security Council, because the permanent members, that enjoy the veto power, are not ready to share their privileges with other states. Even if there is an enlargement and new members are added to the Security Council, I don't think that this would lead to a structural reform. The entire institution is being eroded for a particular reason: the United Nations Organization was created at a time when the international system was composed of several major players (the five permanent members of the Security Council), a fact which resulted in a multipolar (later bipolar) balance of power. Now we are facing a situation in which there is no balance of power at all – with only one major actor who obviously circumvents the Security Council whenever he deems it appropriate: for instance, whenever that state realizes that an action would not get the support of the Security Council, that country will act alone and with impunity, exercising its right of veto against any perspective of punishment. For that reason the present situation is almost leading us into a state of international anarchy where the most powerful country does as it pleases. In this context, on the one hand the UN can only watch what is going on, suffering a gradual erosion of its legitimacy due to its increasing irrelevance; on the other hand, whenever the United States sees a possibility to act without the Security Council, it will do so. The hegemonic power will make use of the UN only when this meets its own strategic interests, as we have recently seen in Lebanon where the US consent to the UN operation has been functional to damaging Syrian interests. On the other side, the setting up of an international court to prosecute crimes against humanity committed in Iraq since 2003, which would be absolutely needed, cannot even be discussed in the Security Council because of the US veto threat.

Thus, the United Nations is being sidelined.

Because it is based on the principle of multilateral action, i.e. of collective security, it can only work if there is a balance of power. Without it, the organization's legitimacy will be eroded; it will gradually become irrelevant, eventually facing the fate of the League of Nations.

The most important organ of the United Nations is the Security Council, which is also the organ which is most strongly suffering the US hegemony. The last attempt to reform the Council failed in September 2005. In order to correct the dangerous trends you have described, what kind of reform do you propose for the Security Council?

My idea is that first of all we should do away with the veto rule because it is in total contradiction to the principle of the sovereign equality of states. A Charter which embodies contradicting principles causes a serious problem for all those who believe in the international rule of law. This is what Kelsen has dealt with as the question of "normative consistency". In addition to that, my suggestion is to introduce a new category of membership in the Security Council that is not related to individual states (nation-states), but to regional entities. "Permanent membership" should thus be redefined as membership of regions. We should find a formula according to which the entire map of the world can be "divided" (i.e. politically organized) according to such regions. If, for instance, there were a single seat for the European region, the member states of that region should occupy that seat on a rotational basis; the same would apply to the African Union and so on.

What is the difference between what you are proposing and the current system based on regional electoral groupings?

In the present system, there is the principle that in the election of non-permanent members one should pay attention to regional representation. However, as long as one leaves the institution of permanent membership untouched, the Security Council will always be just a tool of decision-making by the five member states; very often we have seen that the other states are not free to vote according to their preferences because they are (economically) threatened by the powerful permanent members. That is what happened in 1990-1991 in the course of the Gulf War. My proposal is that "regional permanent members" replace the five states that now have the status of permanent members.

Are you sure that states which should represent the regional organizations on a rotation basis, will act effectively on their behalf? Consider the European Union and the behavior of France and Great Britain, which according to the Treaties should act in the EU's interest…

What would be necessary if one envisages this permanent membership of regions is that in every region there is a clear constitutional regulation as to how every sitting member should represent the entire regional collectivity; and where there are no such mechanisms within a given region to define a joint foreign policy, an amended Charter of the United Nations should provide such procedures.

Happy surfing!

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The End of Unilateralist Illusion: No Cause for Celebration*

Sir,

While this article raises some useful points, it also falls into a common trap; that is, it assumes that every country or power sees the world similarly, and that we can all just cooperate. This is a fallacy. Different countries often have very different interests, and while they can agree that certain problems are common to all, they often see the means to addressing those problems rather differently. This will never change, and leads not only to competition and struggle, but also conflict.

The author correctly suggests that the world will become increasingly multipolar as the current century develops. But this is no cause for celebration. Even the most cursory glance at history would remind us that unipolarity is often accompanied by a relative peace, whether it be the age of *Pax Britannica* in the Victorian era or *Pax Americana* during the late 1940s and through to the 1970s. It is when the unipolar system collapses that disorder sets in and war breaks out. The era 1914-1945 can only be evidence of that.

And finally, the idea that Russia's current behaviour is due to American activities during the 1990s is pure nonsense. Russia has recovered somewhat from its post-Soviet malaise and is trying to reassert itself in the European Union's neighbourhood and elsewhere. This is what growing powers do. They do not necessarily cooperate, especially when their interests are very opposed to their neighbours' interests (as they are in so many case with Europe). This is why we in the European Union need to be willing and ready to adopt a far more assertive and hard-nosed approach to foreign affairs. In the world system a sound foreign policy is simple: rule or be ruled.

James Rogers

*Message posted by Mr James Rogers following Lucio Levi's editorial entitled "The End of Unilateralist Illusion", published in *The Federalist Debate*, number 2, 2007

James Rogers denounces the fallacy of the idea I have illustrated in my article on "The End of Unilateralist Illusion", i.e. that global challenges need multilateral institutions and co-operative policies within these institutions. He asserts that there is an irreducible difference between states' interests that inevitably lead to conflict. Therefore, in international relations an inescapable alternative prevails: "rule or be ruled". This will never change.

It is ironic that this objection, inspired by political realism, is addressed to a federalist journal. As a matter of fact, this standpoint ignores the lesson of federalism that teaches that there are two ways to regulate international conflicts: violence or law. Federal institutions represent the way to achieve peace through law. The EU, which is evolving toward a federal arrangement, has replaced violence with law as a method of conflict resolution within its borders. If this is possible at European level, why should it not be at world level? Is not the globalization process eroding former superpowers sovereignty just like European integration has eroded nation-states sovereignty? Does not the history of international relations teach us that only when states are able to keep each other in check, there is space to ensure the rule of law? Do not multipolar systems have a mechanism which can act as a brake on the hegemonic aspirations of every member of the states system and thus play the role of deterrent against violations of international law? Do not the EU-US relations show that Europe, in areas such as foreign trade, international monetary relations or human rights protection where it is able to speak with one voice, can be a brake on the unilateral initiatives of the US? (l.l.)

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